

CITY OF YORK SCHOOLS FORUM

**Minutes of the Schools Forum held on Monday 28th September 2020 at 9.00am
via Zoom**

Attendance list:

Members:

Trevor Burton	Academy Representative and Chair
Adam Booker	Special School Representative
Gail Brown	Academy Representative
Di Gomery	Maintained Secondary Governor Representative
Helen Gration	Early Years Sector Representative
Steve Lewis	Academy Representative
Lee Probert	FE Representative
Mark Richardson	Pupil Referral Unit Representative
Claire Rigden	Maintained Nursery Headteacher Representative
Jenny Rogers	Maintained Primary Headteacher Representative
James Rourke	Maintained Primary Headteacher Representative
Dee Statham	Academy Representative (VA)
John Tomsett	Maintained Secondary Headteacher Representative

Observers / Advisors:

Cllr Ian Cuthbertson	Executive Member for Children, Young People and Education
Amanda Hatton	Corporate Director of Children, Education and Communities
Maxine Squire	Assistant Director, Education and Skills, City of York Council

Richard Hartle Head of Finance, City of York Council

Salli Radford Head of Governor Services, City of York Council,
Coordinator and Clerk

1. Welcome

The Chair welcomed everyone to the meeting, particularly James Rourke who had been appointed as a representative by maintained primary headteachers.

2. Election of Chair and Vice-Chair

Trevor Burton was unanimously elected Chair of the Schools Forum for a term of one year.

Lee Probert was unanimously elected Vice-Chair of the Schools Forum for a term of one year.

3. Apologies for absence

Apologies were received from Andrew Daly and Helen Winn. Helen Gration would join the meeting a little late.

4. Membership update

Previously distributed. The update was noted.

5. Minutes of the York Schools Forum meeting of 3rd July 2020

Previously distributed. The minutes of the meeting were agreed to be a true and accurate record of the meeting.

6. Action Plan and Matters Arising

There were no outstanding action points to report.

Matters Arising:

None.

Cllr Cuthbertson joined the meeting at 9.09am.

7. 2021/22 budget preparation including potential savings and option to transfer to High Needs Block

Previously distributed. Richard Hartle presented the paper which outlined plans for the 2021/22 DSG allocation. Richard reminded Forum members of their request for an early opportunity to consider the 2021/22 DSG, advising that the central government announcement was not due until late November or early December. It was noted that the data provided had been based on the indicative announcement but that Early Years Block data was not yet available. Richard advised that he would focus his presentation on areas which would require decision by, or consultation with, the Schools Forum.

Referring to paragraph 4, Richard advised that the Schools Block would be increased by 4.2% and the High Needs Block by 8.6%. It was noted that the Central School Services Block would be subject to a significant reduction of 14.9%, in line with the policy decision to wind-down this funding stream.

With reference to the Schools Block, Richard advised that the majority of this funding was allocated via the Local Schools Funding Formula. It was noted that York was following the National Funding Formula (NFF) model as far as possible and that continuation of this approach was recommended. Richard advised that, previously, separate grants were received to cover increases to teachers pay and pension contributions, though these would be included in the NFF distribution from 2021/22. Richard advised that the 4.2% increase would be received in addition to the incorporation of these grants to the DSG. The Forum noted the national average rate of increase was 4.0%.

Richard outlined a technical change to the deprivation factor, with this using refreshed data without any change to the methodology.

Richard advised that current pay and pension grants would end in March 2021 for maintained schools and August 2021 for academies, in line with the respective financial years, after which they would transfer to the main Schools Block.

Richard advised that the 2021/22 allocation to the Growth Fund, which was used in York to fund Infant Class Size contributions and pupil growth, had not yet been announced. It was noted that this would be based on the autumn term pupil census. Richard advised that the Growth Fund had decreased over recent years and that further reduction was anticipated. It was noted that the Forum had discussed a cash limit on Growth Fund allocation in the past.

In response to a question regarding the implications of the move to the NFF and whether this would break the relationship between the LA and schools, Richard advised that financially the impact would not be significant as implementation had been anticipated and was already being closely matched, but agreed that the relationship would change. It was noted that the LA was currently able to buffer the impact of government changes to funding but would lose this influence in the future.

Discussion followed, with it being suggested that schools might lose their collective voice. Richard agreed that it would be more difficult for schools to influence decisions in the future.

Helen Gratton and Maxine Squire joined the meeting at 9.20am.

In response to a question regarding the minimum per pupil amount, Richard provided clarification of the funding, which would receive no uplift in 2021/22. It was noted that this funding had been subject to a top-up during the current year to guarantee a minimum level, but would not be increased above this level during 2021/22. Richard advised that this would impact on some York schools.

In response to a question regarding the adequacy of the increase to enable schools to respond to the significant increases in pension contributions, and what options were available to schools if the two did not balance, Richard advised that the DfE would roll pay and pensions grants into the Schools Block in addition to the increase and that, in theory, this should continue to fund commitments at current levels. It was noted that the current impact of pay and pension costs would be continued into future years.

Further discussion of the impact of modelling and the ability of schools to influence funding decisions followed. Richard drew attention to the work of the f40 group and would be discussed under item 11.

Richard advised that the Early Years Block had included an increased hourly rate for two-year olds and three and four-year olds in 2020/21, and that the LA had passed this on to providers. Richard further advised that the LA anticipated that the same principal would apply during 2021/22, though the hourly rates were not yet know.

Richard advised that the High Needs Block would be subjected to an 8.6% increase in 2021/22; a similar rate of increase to that in 2020/21. Richard advised that there were significant pressures on demand and costs within this block, that there had been a significant overspend recorded in 2019/20, and that the LA projected an overspend of £5m during 2020/21. It was noted that the current year overspend would bring the carried-forward deficit to £10m. Richard advised that the £1.8m increase in High Needs Block funding would not address this overspend and that further cost increases were anticipated during 2021/22. The Forum noted the need for significant mitigations to bring the budget towards balance and to address the deficit.

Richard advised that, prior to the pandemic, LAs with a deficit above 1% were required to submit a recovery plan to the DfE, though this requirement was currently suspended. It was noted that York would have been required to submit a formal recovery plan at the end of 2019/20, and that the LA would need to address the deficit position and to consider the totality of the High Needs budget.

Richard advised that the LA was permitted to request that the Forum consider a transfer of 0.5% from the Schools Block to the High Needs Block. It was noted that the LA had not requested such a transfer during the first three years of implementation of the NFF, but that it was now necessary to consult on such a request. Richard advised that detail of this process was included in the paper and was slightly complicated. It was noted that the Forum could agree to a 0.5% transfer following consultation with all schools, to include modelling of impact to each setting. Richard advised that refusal to approve a request could

be appealed to the Secretary of State, with the deadline for such a request being 30th November. Richard advised that progression of a request to transfer funds would require consultation with schools and a Forum meeting prior to 30th November. It was noted that this process would also be required in the event that the LA wished to request a transfer above 0.5%, as this could not be authorised by the Forum.

Richard advised that a 0.5% transfer appeared reasonable given the overall funding position, with this being a significant issue highlighted for consideration in the budget papers. Questions were invited.

The Chair suggested returning to discussion and decision relating to this request once other issues had been considered. This was agreed.

Richard advised that the Central School Services Block, funded through the DGS, was partly made up of funding commitments previously support by the Education Services Grant, a funding stream rolled into the Central School Services Block a number of years ago. Richard advised that the LA had been provided with the ability to use some DSG allocation to fund items not technically part of DSG funding, but which were of benefit to schools. The Forum noted that this “historic commitment” was £2.6m in 2020/21, a significant element of the total £3.2m Central School Services Block allocation. Richard advised that the government was keen to see these historic commitments unwound, and that different approaches were being taken nationally, with York in the mid-range of the varying levels of commitment. Richard advised that the intention was to remove this element entirely, with £500k removed in 2020/21. It was noted that the Forum had made the decision to cease the schools broadband contract and reduce uncommitted elements of the budget to enable this reduction. Richard advised that he would like the Forum to hold an open discussion about how it might enable a further reduction during 2021/22. Richard advised that he had set out the current elements that made up the historic commitments, inviting comments and questions from Forum members. It was noted that a decision was not required until February.

In response to a question regarding the costs outlined in paragraphs 23 and 24 (Termination of Employment Costs / Prudential Borrowing Costs) and whether these were reducing over time, Richard advised that some were, though prudential borrowing costs were not reducing but would fall out of the repayment schedule as repayment terms came to an end. It was noted that enhanced redundancy costs were historical restructure commitments to fund top-ups to pensions, with the total of £383k being the historic figure contributed to costs which had an overall cost of c£1m. It was noted that this commitment would reduce over time.

Richard invited views on the historic commitments, asking whether the Forum preferred for the LA to make recommendations. Discussion followed, with Forum members asking what options were available if pension and prudential borrowing commitments were fixed costs. Richard advised of the need to consider what might be reduced or ceased in order to generate the saving. It was noted that it might be possible to reduce budgets but not costs in some cases, resulting in a transfer of liability elsewhere within the LA. Richard advised that this could be considered, with some aspects carrying implications for the LA which would need to pick up continuing costs, whilst other budget aspects were managed directly by the Forum and would bring a more direct impact on schools and would need to be managed in a different way.

Discussion followed.

In response to a request for more information on Children's' Centre costs, Richard advised that this could be brought to the next meeting, though costs were likely to fall into fixed commitments. Richard further advised that other grants supporting Children's Centres had ceased and costs had transferred elsewhere within the LA.

In response to a question regarding the impact of a reduction in school improvement funding across schools, Richard advised that this would differ and that a plan would need to be put in place to ensure statutory requirements were met. Maxine Squire advised that statutory school improvement duties could be commissioned by the LA as the requirement was to ensure that duties were fulfilled and not for direct LA delivery. Maxine advised that the LA was

discussing options with the York Schools and Academies Board (YSAB) the School Improvement Commissioning Fund was currently supporting Schools Causing Concern and school intervention and support work. It was noted that discussion was seeking to safeguard current arrangements and that options were being considered with the YSAB to ensure funding was not lost from the city if possible. Further discussion followed.

The Chair requested a paper illustrating the individual elements of the budget, to include the anticipated impact of removal if this was pursued. The Chair advised that the Forum required input from those running this group of services in order to understand potential impact. The Forum noted that a decision would be required at the February meeting, though implementation timescales would need to be considered due to the financial year beginning in April. It was further noted that the impact of decisions may lag into the 2021/22 financial year. The Chair requested a timeline for decision making to highlight the savings achievable during 2021/22. Richard undertook to discuss with Maxine Squire and Amanda Hatton.

Richard advised that the government would continue to revisit this funding stream until all commitments were wound down, acknowledging that it was possible that historic pension contributions may continue to be funded, but that the LA and Forum would need to consider options for all areas.

Amanda Hatton advised that the Forum would need to prioritise commitments due to the wider financial position, suggesting that it would be sensible to consider options sooner rather than later. Amanda advised that an impact measures paper would be required to identify the areas likely to be impacted least. Richard confirmed that he would prioritise the areas impacted in the paper.

Richard referred to the LA maintained school de-delegations referred to in the paper, advising that the LA had the option to provide services to maintained schools, funded by de-delegations agreed by the Forum. The Forum noted a reduction in the number of de-delegations over time, with three to be considered for 2021/22:

- Schools General Contingency – De-delegation of £4 per pupil to provide the LA with a fund to support maintained schools with unexpected expenditure. It was noted that the total fund was c£40k. Richard advised that schools could consider retention of this funding, though this would remove the availability of a contingency for anything other than exceptional costs. It was noted that this was a Forum decision and that it was not usual to consult with individual schools unless the Forum judged this to be necessary. The Forum noted that maintained schools only were impacted by this decision and therefore only maintained school representatives could vote.
- Free School Meal Eligibility Assessment Services – Forum members noted the current level of de-delegation to fund this service, which academies were also able to buy-back as a traded service.

Cllr Cuthbertson left the meeting at 10.00am.

- Behaviour Support Outreach Service – This service was provided by the Danesgate Community and was available to primary schools only. The Chair invited feedback on the de-delegation and whether further information was required to enable a decision. Maxine suggested taking this issue to a maintained school headteacher meeting for discussion, following which the Forum could receive feedback from maintained primary representatives at an additional meeting in November. This would be arranged. Di Gomery undertook to speak to the headteacher of The Joseph Rowntree School and John Tomsett would speak to the headteacher of All Saints RC School to ensure consultation with the maintained secondary schools.

The Forum confirmed their responses to the decisions requested in the paper:

- **To support the continuation of pupil growth and infant class size funds under their existing arrangements, including cash limiting the budget as detailed in paragraph 14. This was agreed.**

- **To support an increase of Early Years funding rates to providers in proportion to any increase in Early Years funding allocated by government to the LA. This was agreed in principle.**

The Forum considered the request to approve in principle a transfer of 0.5% of Schools formula funding to the High Needs Block, subject to a full consultation with all schools and academies. Discussion followed, with the point being made that 0.5%, which equated to £0.55m, scratched the surface of the ongoing deficit. Richard advised that the transfer would result in a reduction of c£25 per pupil across schools. The Forum noted that the Secretary of State had, historically, authorised transfers when requested.

Further discussion followed, with Forum members asking what other options were available to fund the High Needs Block overspend. Richard advised that the inclusion review was seeking to address some of the issues and that the LA and Forum would need to look at all aspects of expenditure from the block, including the types of provision and levels of funding. Maxine advised that the review was considering all high cost placements to identify where funding was currently committed and identify alternatives for provision. It was noted that the review was considering the increase in cohort size and number of requests for EHCPs and how to resource the cohort over time. Maxine provided context to the increased cohort and the need to consider how to offer alternative preparations for adulthood. It was noted that a national SEND review was ongoing and that all LAs were experiencing pressure. Maxine advised that the aim of legislation to support pupils in mainstream provision had not been met and that there had been a move to special provision nationally. It was noted that consultation with parents had begun and that parents needed to understand options and to contribute to the sense-checking of possible solutions. Maxine advised that the LA role was being internally reviewed to ensure provision was as cost effective as possible, adding that increased funding from central government had not acknowledged pressures within the system, with costs not being met. Further discussion followed, with the Forum noting the impact of inadequate funding and the additional impact of Covid-19 which had caused LAs to lose income.

In response to a question regarding any LA study on SMEH and communication needs which were significant drivers for EHCPs, in particular any research on the role of Early Years, Maxine advised that the Early Years Specialist Teaching Team and Portage Service had considered this, though not every child's needs were captured during early years phase. Maxine outlined the differing stages at which a variety of issues came to light.

Discussion followed, with a view expressed in support of the transfer request and a contrary view expressed that removing further school funding would not be helpful and would not adequately address the funding issues of the High Needs Block, with further detail on figures, mitigations already in place and plans for the future required before a decision could be made. Richard advised that this detail could be provided to the proposed meeting in November. Richard further advised that the proposed transfer would not take any school below the minimum cash amount per pupil or the minimum increase per year as this was not permitted. It was noted that Richard would need to model how the 0.5% would be generated, with an illustration of impact on schools.

Maxine advised that the LA was seeking to balance unintended consequences to the removal of funds from the system, stating that the removal of specialist services would pass pressure on to schools. Maxine further advised that the LA was seeking to provide this modelling and acknowledged that reductions in costs would create challenges, adding that the LA would test options but that consequences would need to be balanced.

The Chair advised that the Forum was not in a position to approve the transfer in principle as requested, but was not dismissing the request. The Forum requested further detail to enable a decision. Maxine advised that the LA was required to consult with SEND parents before bringing detail to the Forum and undertook to arrange this. It was noted that the outcome of consultation with schools and parents would be brought to the November meeting.

The Forum noted the actions required to enable decisions in November relating to de-delegations and the proposed High Needs Block transfer:

- **An additional Schools Forum meeting be arranged for late November**

- **Detail on proposed, prioritised, budget reductions and anticipated impact**
- **Feedback from consultations with parents and schools across the range of proposed reductions**

Amanda Hatton and Mark Richardson left the meeting at 10.20am.

8. Early Years funding summary report

Previously distributed. Richard Hartle presented the paper, which had been drafted in response to a request from the Forum. Richard outlined the Early Years DSG elements, with the Forum noting that two year old funding was passed on to providers by the LA without any deduction. Richard advised that three and four year old funding received by the LA was subject to a 5% retention to fund the central Early Years Team and deliver support to providers. It was noted that the remaining 95% was passed on to providers through the Early Years Single Funding Formula. Richard advised that the LA was required to provide a basic hourly rate which equated to 90% of funding, with the remaining 10% managed by the LA. This retained sum included a deprivation supplement, with the York Local Formula allocating £4.07 per hour plus £0.41 per hour allocated for children meeting the deprivation trigger. Richard advised that the use of the £4.38 received by the LA from central government for three and four year olds was broken down in the paper.

Helen Gratton advised that Early Years settings were subject to the same SEND pressures as schools, with the High Needs Block including £100k for Early Years, asking whether this was reviewed annually. Richard advised that in the current year all funding values had increased by 2%, with the Early Years inclusion fund being set at £123k in-line with the increase to other factors.

Helen queried levels of take up of the disability access fund, with Richard advising that this would need to be checked with the Early Years Team. Richard advised that the fund was claimable based on pupil data, with funding from the DfE based on actuals and passed on to providers on the same basis.

Helen queried the funding of the stand-alone maintained nursery, asking whether an amount was added to the hourly rate and what the resulting base rate then was, with Richard advising that the same formula was applied as to PVI providers. It was noted that a lump sum was received from central government to fund maintained nurseries, with this being c£90k for standalone maintained nursery schools in York, of which there was only one.

Cllr Cuthbertson re-joined the meeting at 10.40am.

Helen queried the purpose of this funding, with Richard advising that the income stream reflected the fact that the maintained nursery carried all of the infrastructure costs that applied to an integrated maintained nursery. It was noted that this funding had reduced over time. Claire Rigden advised that the nursery had seen an annual reduction in funding of £17k-£18k in recent years. Claire further advised that the nursery was proactive in encouraging families to apply for disability access funding, with this helping to fund SEND support. Discussion followed, with the Forum noting that the PVI sector was not skilled in encouraging access to this fund. Claire advised that the Portage Service could support this work, emphasising the need to highlight the fund in information packs for parents. Maxine advised of the need to more proactively promote the fund.

In response to a question regarding the need to reconsider the base deprivation rate, Richard advised of the need to have a base for the deprivation rate, adding that York allocated one of the smallest proportions in the country and that the LA would not recommend reducing further. Richard further advised that he had considered with PVI sector colleagues how low the fund could be reduced whilst retaining the need for the factor. It was noted that the Forum could revisit this prior to final decision.

In response to a question regarding the impact of the single maintained stand-alone nursery, which appeared to be in a different position to other providers, Maxine advised that staffing costs relating to maintained nurseries were higher than in the PVI sector, with this being refuted by Helen Gratton, who stated that similar costs could be evidenced. Maxine advised that stand-alone maintained

nurseries had a requirement to pay a headteacher. Helen stated that she was keen to see the Forum consider costs relating to St Paul's Nursery in the context of its current premises. Claire advised that the nursery's funding stream was dependent on continuation of St Paul's as a stand-alone maintained nursery.

The Chair stated that it was a strategic decision for the LA on whether to support a maintained nursery, not a decision for the Forum. The Forum noted the option for the LA to discuss this issue separately from the business of the Forum.

Richard advised that existence of additional maintained stand-alone nurseries would require funding to be calculated on a per-setting basis via the formula, with funding being allocated and redistributed.

The report was noted.

9. Early Years funding in the PVI sector

Previously distributed. Helen Gratton presented the paper, which highlighted funding issues and the differing impact dependent on operating context. Helen advised that demographic impact was significant across the city.

Helen advised that research had been included in the paper on the impact of Covid-19, with nurseries closing prior to the pandemic due to funding shortfalls but with the issues further exacerbated by Covid. Helen outlined the impact of a lack of access to grants, an increase in costs for PPE, reduced occupancy, and a higher proportion of staff to maintained bubbles and provide cleaning. It was noted that Helen was keen to benchmark the deprivation rate and costs against other LAs and to join this information up with f40 information to increase awareness of Early Years income challenges. Helen asked the Forum to consider identifying research relating to York to support lobbying at central government level.

Maxine advised that some data could be gathered from the Early Years Team on sufficiency mapping, with any additional data that could be gathered from

the Early Years sector on areas of pressure being helpful, with this to include day nurseries and childminders in order to provide an evidence-base on local context. Maxine advised that she, the Chair of the Forum and Helen had met to discuss Early Year issues and were aware that other Forums had written to the Secretary of State. It was noted that Maxine had the text of a letter submitted by a regional LA and could arrange a similar letter on York issues. It was noted that MPs were active in supporting Early Years, with Cllr Cuthbertson attending f40 meetings, and a number of ways to increase the work to make a case for improved funding being pursued.

Cllr Cuthbertson advised that there was a bias of funding away from Early Years and that this required review, with the years from birth to five being crucial in setting up a child's future and currently being under-organised and under-supported. Cllr Cuthbertson stated that he viewed Early Years as key to educational outcomes and was committed to supporting any work that could be undertaken to raise awareness of the importance of the phase. Discussion followed.

Action points were noted:

- **Maxine confirmed that she would liaise with Barbara Mands to draft a letter to the Secretary of State and would ensure that the work undertaken on Early Years by the regional Director of Children's Services group would also feed in.**
- **Helen confirmed that she would work with Richard Hartle on scoping the information required from across the sector.**
- **Maxine undertook to speak to Nicola Sawyer regarding a similar evidence-collection exercise in the past which could be revisited.**
- **Maxine undertook to liaise with Helen Gration to draft a letter to the Secretary of State.**
- **Maxine would share the text of Kirklees letter to the Secretary of State with the Chair by way of example.**

Helen also requested a timeline for this process.

The meeting adjourned from 11.05am to 11.10am. Mark Richardson re-joined the meeting at 11.10am.

10. School Improvement Commissioning Fund Update

Maxine Squire provided a verbal update, advising that John Thompson would produce a report to the next meeting, further advising that the pandemic had disrupted progress but that a full presentation and update had been taken to the YSAB on 21st September. It was noted that John had requested that schools provide an update on improvement planning, use of funding and next steps, with this taken to the YSAB. It was noted that funding allocated during 2019/20 would be carried forward into 2020/21 to enable completion of existing projects, with adjustments reported to the YSAB.

Maxine advised that applications for funding for projects during 2020/21 would be requested by John shortly, and that the YSAB would take into account the impact of Covid-19 and the reprioritisation required.

Mark Richardson left the meeting at 11.13am.

Maxine advised that a focus on the challenges created by Covid -19 would be useful in considering the use of school improvement funding in 2020-21, including support to develop remote learning, along with a focus on a local response to catch up.

Maxine referred to centrally retained funding and the need to consider how to protect this funding as long as possible to continue the positive impact on schools within the city. Maxine advised that the LA was considering how to put a more formal process in place to protect this element of DGS funding.

The Chair thanked Maxine for the update, advising that the YSAB provided a rigorous process to check that funding was well used and ensured a high level of accountability. Maxine stated that the YSAB was keen to further formalise this process. Discussion followed, with Maxine advising that she was keen to

work with YSAB to develop a vehicle which can bid for alternative sources of funding for the benefit of the York education system.

11. f40 update

Previously distributed. Richard Hartle invited questions on the paper, advising that the f40 had originally been established to represent the 40 lowest-funded education authorities but now included 42 members. It was noted that York had been a member since 2004, with the current subscription rate being c£500 per year. The Forum noted the campaigning material shared with the paper.

Richard advised that the strengths of the group lay in the technical expertise across member LAs, enabling the group to put forward strong arguments which the government did take into account. Richard recommended continuation of membership, based on this value.

John Tomsett left the meeting at 11.20am.

The report was noted. The Chair thanked Richard for the paper.

12. Schools Forum forward plan

Richard Hartle outlined the forward plan:

November 2020 (additional meeting)

- Outcome of consultation on the proposed transfer of funds to the High Needs Block
- Maintained school feedback on de-delegations
- SICF report and planning
- Maintained school Start Budgets 2020/21 and 2019/20 outturn balances - *if full data available and aggregate position if not*

February 2021

- 2021/22 Budget including final decision on options

13. Any Other Business

There was no other business.

14. Date and time of next meeting

The next meeting would take place on 26th November 2020 at 9.00am.

The meeting closed at 11.27am.

DRAFT