

CITY OF YORK SCHOOLS FORUM

**Minutes of the additional Schools Forum meeting held on Thursday 26th
November 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 Gratton	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
John Tomsett	Maintained Secondary Headteacher Representative
Helen Winn	Academy Representative

Observers / Advisors:

Cllr Keith Orrell	Representing the Executive Member for Children, Young People and Education
Maxine Squire	Assistant Director, Education and Skills, City of York Council
Richard Hartle	Head of Finance, City of York Council

1.	<p>Welcome</p> <p>The Chair welcomed everyone to the meeting. Cllr Orrell was welcomed to the meeting which he was attending due the absence of Cllr Cuthbertson.</p>
2.	<p>Apologies for absence</p> <p>Apologies were received from Andrew Daly - Academy Representative, Cllr Ian Cuthbertson, Dee Statham - Academy Representative and Amanda Hatton - Corporate Director – People.</p>
3.	<p>Minutes of the York Schools Forum meeting of 28th September 2020</p> <p>Previously distributed. The minutes of the meeting were agreed to be a true and accurate record of the meeting.</p>
4.	<p>Action Plan and Matters Arising</p> <p>There were no outstanding action points to report.</p> <p>Matters Arising:</p> <p>None.</p>
5.	<p>Outcome of consultation on the proposed transfer of funds to the High Needs Block (2021/22 budget)</p> <p>Previously distributed. The Chair thanked Richard Hartle for the detailed paper, which Richard was invited to present.</p> <p>Richard outlined the need to address the High Needs Block deficit, noting that the additional meeting had been arranged to ensure that the LA had sufficient time to submit an appeal to the Secretary of State by the deadline of 30th November if this was necessary.</p> <p>Richard advised that the DfE modelling tool had been used by the LA to enable modelling, with the paper explaining that LA officers had been unable to find a fair and equitable way to request the transfer of funds to the High Needs Block due to</p>

the impact on schools. It was noted that a decision to make a transfer would sit with the Form, but that the LA officer recommendation was not to transfer. Maxine Squire advised that making a transfer would not address the underlying problems.

Richard outlined modelling work undertaken, advising that the LA had tested numerous modelling options. It was noted that Annex 1 included an illustration of the best option of those considered, with an adjustment of the AWPU rate extended as far as possible to enable a 0.5% transfer. Richard advised that the minimum funding guarantee and minimum amount per pupil made it impossible to generate a 0.5% transfer, with a maximum of £488k achieved with this being £100k less than required. Richard further advised that the distribution of the reduction in budget allocation would impact 28 of 59 schools, with the remaining 31 schools maintained at NFF levels due to protections currently in place. It was noted that the increases received by a number of schools made the modelled impact more inequitable.

Richard advised that the outcome of the modelling exercise had been discussed with Maxine and it had been agreed that a transfer was not a viable option.

Discussion followed. In response to a question regarding the priorities set for the modelling exercise and whether equitable impact had been included, Richard confirmed that this had been the case, with the LA seeking to find a reasonable and equitable way of distributing impact. Richard further advised that, though he had expected funding floors, ceilings and protections to impact the exercise, the merging of Teachers Pay and Pension Grants into main budget allocations would skew the position significantly, with this not anticipated at the time of the last Forum meeting. Richard advised that modelling had sought to achieve a transfer close to the £500k required, with it being quite surprising that the exercise had been unable to generate this sum.

Further discussion followed, with Richard outlining the key constraint of the minimum funding guarantee. It was noted that the NFF minimum pupil increase had been set at 2%, though the LA was able to reduce this within limits. Richard advised that the LA had not been able to reduce funding to the level required. Further discussion followed, with Richard highlighting the need to reduce expenditure from the High Needs Block or to lobby government to increase High Needs Block funding as other

options were so constrained.

The Chair queried the solutions found by other LA's with a similar position, with Richard advising that he had discussed the issue with two colleagues in the local area and that they were also having difficulties with High Needs funding. It was noted that it had been generally agreed that schools at the lower end of the funding scheme were impacted most significantly and that the merger of the Teachers Pay Grant had magnified challenges.

Richard advised that the proposed consultation with schools had not been undertaken as the transfer was not viable, adding that it was now too late to run a process for 2021/22. Richard advised that he was therefore not asking for a transfer of funds to the High Needs Block to be considered as an option.

Richard advised that the paper set out options to balance the DSG High Needs Block. It was noted that the DfE had issued a deficit recovery planning template with the modelling tool for completion by LAs with a deficit above 1% of DSG. It was further noted that the LA would usually have one year to submit a recovery plan to the DfE, though the requirement had been removed at present due to the pandemic and revised regulations did not require the plan to be submitted until June 2021. It was noted that LAs with a deficit at the end of the financial year would need to cooperate with the DfE on identifying savings options and to meet with DfE representatives to explain their recovery plan. Richard advised that the paper marked the beginning of this work. Richard further advised of the requirement to keep the Forum informed, with this having been the case to date. It was noted that the LA would need to share further detail about management of the deficit plan going forward.

Richard advised that the DfE management plan template, which was recommended for use by LAs, would enable planning for a two-to-three year period. It was noted that the DfE also recommended use of this plan to inform the work of the Schools Forum in preparations for the 2022/23 budget. Richard advised that this timeframe would fit with the work of the inclusion review, though some savings were required to be identified quickly and the LA would need to consider initial savings during the budget process for 2021/22. Richard further advised that he had set out savings currently identified as part of the three-year budget plan which would generate

reductions in expenditure from 2021/22. The Forum noted that the proposals were currently confidential and would be taken to Elected Members for consideration and further amendment before coming back to the Forum in February with recommendations. Richard advised that he had wanted to share information at this stage to allow the Forum to comment on the direction of travel. It was noted that, should all proposed savings be implemented, the plan would generate £4M over a four-year period and would reduce the deficit over two-to-three years. It was further noted that the inclusion review also needed to be factored in, though the cumulative deficit needed to be addressed otherwise it would reach c£13M by 2023/24.

In response to a question regarding the technical difference between deficit and debt, and whether the £13M referred to represented a debt, Richard advised that this was the case, with £13M of debt having built up from LA general resources, though in DfE terms this was a deficit. Richard advised that this was the terminology used in papers.

In response to a question regarding the presentation of options, Richard advised that some savings were phased whilst others were recurring, with the table including the total saving.

In response to a question regarding the delay in implementation of savings relating to home to school transport until 2022/23, Maxine advised that the proposed changes would require detailed consultation and would be a political decision as they represented a change in policy. It was noted that this was likely to be subject to legal challenge, with some national legislation imposing constraints which made the process very difficult and complex.

Richard provided clarification of the detail included in the table, with the Forum noting that decisions would be brought back with recommendations and further detail and would go to Council Executive for decision. Initial comments were invited. Maxine advised that decisions would be system-wide and would impact all members of the school community.

In response to a question regarding the balancing of the £13M deficit and whether this must be repaid from the DSG or from other budget areas, Richard advised that repayment must be made from DSG. It was noted that, until recently, LAs were

transferring funds from general resources to the DSG, though this was no longer permitted.

In response to a question regarding the timescale for repayment of the £13M deficit, Richard advised that this was unclear, though the DfE expected the in-year deficit to be removed within a three-year period. It was noted that no guidance had been provided regarding the cumulative deficit.

In response to a question regarding how the information fed into the inclusion review and Ofsted recommendations, Maxine advised that the proposals carried some significant implications as they reduced options. The Forum noted that the LA was clear about the causes of pressure and the parameters of options. Maxine advised that the LA would suggest a review of current bandings and for these to be dissociated from the funding window. Maxine further advised of the need to reconsider the journey of a child through the system, with a significant number of families with children moving from mainstream primary to secondary phase having requested a place in special provision, with this increasing pressure on the system. The Forum noted the need to consider the role of ERPs and the possible gap in provision. Maxine advised that the growth in the 19-25 cohort was a significant factor, with the LA also needing to consider pre-school provision and the Early Years Inclusion Fund. Maxine further advised of the option to readjust this fund to ensure inclusion in Early Years settings, with this being considered as 0-5 year-old needs were not currently addressed and this was resulting in children entering the mainstream school system in Reception and being designated with SEMH issues which set a pathway for their future. Maxine stressed the need to rethink the system, advising that a new head of service was looking to integrate the 0-25 service. It was noted that there would be some implications for providers – particularly with SEN support-level pupils – to prevent the escalation of pressure. Maxine advised that this was complex work which would carry implications for families and providers.

Adam Booker advised that similar proposals were being considered or had been carried out in other areas and had been successfully challenged. Maxine acknowledged that the rate of tribunal hearings was rising.

The Chair queried the role of the Forum going forward, given the impact on

stakeholders and requested consultations. Richard advised that decisions would be required at the February meeting regarding de-delegations and contributions to social care budgets from the DSG, with other consultation work and Central Services Block funding also requiring Forum decisions. Richard advised that the Forum would play a further consultation role on High Needs Block funding. It was noted that the deficit recovery plan required discussion in detail with the Forum and that some specific feedback on the role of the Forum was required by the DfE.

In response to a question regarding the availability of further information on the impact of withdrawal of funding as outlined at the February meeting, Maxine advised that a full equalities impact assessment would be required, with their being no option available that would avoid an adverse impact.

Richard advised that benchmarking information had been shared for information and had been prepopulated by the DfE. It was noted that the data confirmed the position. Maxine outlined the role of the Danesgate Community in supporting pupils with special needs who would otherwise be in special provision. Mark Richardson provided an outline of work undertaken at Danesgate with 90 pupils with SEMH who were supported by Danesgate Alternative Provision.

In response to a question regarding modelling and protections, and whether the maintained schools impacted might need to cease some areas of work, Maxine advised that academies and maintained school would be equally impacted, with this being a shared school issue as they were funded through the same route. Richard advised that the route now being explored would not disadvantage maintained schools.

Maxine advised that discussion had taken place with a senior DfE advisor and that inclusion review feedback would be available in new year. Maxine further advised that it was likely that some EHCPs would be revisited to ensure a consistent approach nationally, with the role of mainstream provision also being considered. It was noted that consideration of the SEND support cohort and how this group was supported in mainstream provision might result in a revisiting of funding formulas.

Discussion followed. Maxine outlined the complexity of the inclusion review. The Forum noted the challenge in managing budgets against the complex legislative

	<p>background and impact of the pandemic.</p> <p>The Chair summarised the role of the Forum in the next steps to reduce the deficit. The Forum noted that detailed proposals would be brought to the February meeting. Maxine outlined work to be undertaken to deliver savings whilst ensuring children and young people were supported appropriately, including work with parents to help identify and action the best support to enable independent adult life.</p> <p>Further discussion followed. Adam Booker supported reengineering of the system to deliver fair and appropriate provision. Further discussion followed, with Maxine advising of the intention to revisit the Early Years Inclusion Fund to ensure expectations were reset from the first five years. The Forum noted the intention to reduce costs in the short term and reset the system in the longer term. Further discussion followed.</p> <p>The Chair thanked members for their contributions, advising of the need to prepare for the decisions required in February. The Forum noted the range of views represented round the table and the need for wider consultation.</p>
<p>6.</p>	<p>Schools Forum forward plan</p> <p>Richard Hartle outlined the forward plan:</p> <p>February 2021</p> <ul style="list-style-type: none"> • Inclusion review • 2021/22 Budget including final decision on options and de-delegations • SICF report and planning
<p>7.</p>	<p>Any Other Business</p> <p>There was no other business.</p>
<p>8.</p>	<p>Date and time of next meeting</p> <p>The next meeting would take place on 2nd February 2021 at 9.00am.</p>