Minutes of the Schools Forum Meeting

Meeting title: Schools Forum Meeting

Date/time 11 November 2020, 17.30-19.00
The meeting convened virtually

In attendance:
- **School Members**
  - KT Khan (Special School Headteacher rep)
  - Asarena Simon (Maintained Pri Headteacher rep)
  - Caroline Tyson (Maintained Pri Headteacher rep)
  - Sian Davies (Maintained Pri Headteacher rep)
  - Alex McKenzie (Maintained Pri Governor rep)
  - Lee Laudat-Scott (Maintained Pri Governor rep)
  - Lisa Neildich (Maintained Pri Governor rep)
  - Jane Heffernan (Maintained Sec Headteacher rep)
  - Wendy Mason (Maintained Sec Governor rep)
  - Lisa Clarke (Nursery School Headteacher rep)
  - Richard Brown (PRU rep, Headteacher)

- **Academy Members**
  - Claire Syms (Academy Principal rep)

- **Non School Members**
  - Cathy Murphy (EY/PVI rep)
  - Adrian Cottrel (16-19 rep)
  - David Davies (Staff rep)

Additional attendees:
- Cllr Anntoinnette Bramble, Cabinet member for Education, Young People and Children Social Care
- Cllr Caroline Woodley, Cabinet member for Families, Early Years and Play
- Annie Gammon (DoE, Hackney Education)
- Tracey Caldwell (Head of Education Operations, Hackney Education)
- Nick Wilson (Interim Head of High Needs and School Places)
- Yusuf Erol (Head of Management Accounts)
- Naeem Ahmed (Head of Finance, Hackney Council)
- Ophelia Carter (Head of Schools Finance)
- Silvi Shrestha (Clerk to the Forum)

Absent:
- Rita Krishna (Academy governor rep), Anna Cain (Special Academy rep)

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<tr>
<th>Item</th>
<th>Description</th>
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<tbody>
<tr>
<td>1.</td>
<td>Welcome and introductions</td>
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<td></td>
<td>Tracey Caldwell, Head of Education Operations at Hackney Education, welcomed attendees to the first Schools Forum meeting of the academic year and introduced the new Forum members who joined in September 2020.</td>
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<td></td>
<td>Tracey Caldwell reiterated the meeting etiquette for participating in a virtual meeting and clarified that only Schools Forum members and relevant local authority officers were allowed to participate in the meeting.</td>
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<tr>
<td>1.1.</td>
<td>Clarification of local authority officer roles</td>
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<td>Tracey Caldwell highlighted the following changes to personnel at the Local Authority since the last meeting;</td>
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<td>- Nick Wilson, interim Head of High Needs and School Places</td>
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<td>- Naeem Ahmed, replaced Jackie Moylan and was the Acting Director of Finance (C&amp;E)</td>
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<td>- Yusuf Erol (Head of Education Finance) who would provide some reporting to Schools Forum</td>
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<td>Tracey Caldwell also clarified the following structural changes at the local authority since April 2020;</td>
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<td>- Move of finance line management from HE to central team.</td>
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<td>- Changes to CACH structure. Children, Adults and Community Health has been split into two directorates. Children and Education and Adults, Health &amp; Integration. Anne Canning is the</td>
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Group Director for Children & Education. There are no other changes to Hackney Education structures as a result of the changes to CACH.

2. **Appointment of Chair and Vice Chair**

The clerk chaired the meeting for this item.

The clerk received one nomination for the role of Chair from Sian Davies, Executive Headteacher of Primary Advantage Federation, and Primary Headteacher representative on the Forum. Sian Davies left the meeting for the voting process. Forum members were advised that voting would be carried out using the Google Meet polling tool and the clerk clarified that only Forum members were able to vote for the Chair.

Sian Davies was appointed the Chair of Schools Forum (2020-21) with 11 votes.

Sian Davies took on chairing duties from this point onwards.

The clerk received one nomination for the role of Vice Chair from Alex McKenzie, Primary Governor representative on the Forum. Alex McKenzie left the meeting for the voting process. Alex McKenzie was appointed as the Vice Chair of the Forum (2020-21) with 13 votes.

3. **Minutes of the last meeting**

The minutes of the last meeting were reviewed and agreed as an accurate record of the meeting of 7 June subject to the following correction; (Pg 1) 4.3 **Schools** were not required to complete the census…” not ‘Early Years settings were not required…”

3.2. **Action log** - It was noted that most actions from the last meeting were addressed as part of the agenda or complete.

**FSM poster** - the clerk confirmed that FSM posters were printed and physical and electronic copies of the posters had been distributed to schools. Schools Forum members were sent electronic versions of the posters.

**Academies’ contribution to Trade Union costs** - Richard Brown (Chair of Schools Forum 2019-20) updated that the Head of HR at Hackney Education had been in contact with various academies regarding contributing to the Trade Union administrative costs which was currently de delegated from maintained Primary and Secondary Schools only. There were three academy schools who have agreed to contribute to the costs and two who were considering it. It has been resolved for Hackney Education to take this matter forward with Academies. An update would be provided at the next meeting. (**Action** - Tracey Caldwell)

3.3. **Matters arising;**

1. **Responses to queries on Early Years** - Donna Thomas provided the following key information from the written responses to queries raised at the last Forum meeting:

At the last Forum meeting, a member queried whether the Local Authority (LA) had made a decision about the use of the Early Years’ contingency fund. It has been decided by the LA to roll over any unspent contingency fund to the next financial year. The reason for this decision was due to the current financial situation whereby the LA was honouring funding to settings for 2, 3 and 4 year old
entitlement irrespective of attendance. Any underspend in the contingency fund would be used to cover any shortfall in funding in the following year on the basis that children may delay taking up their free entitlement, due to parental concerns about COVID-19. This would impact on the January census which determines the LA's funding.

A member added that maintained nursery schools received a supplementary grant, however, there was no indication from the government whether this would continue. A long term spending review had been put on hold and settlement had not been reached. The spending review would take place on 25 November and the government would look at funding for multiple years rather than a single year to ensure a consistent funding approach.

2. **Explanation of process for escalating spend balance plan – Report to Forum (OCa)**

   Ophelia Carter shared with Schools Forum members the process for managing a deficit budget as requested at the last meeting. The report included a flow chart which illustrated the step by step guide to budget approval and actions stemming from a deficit budget. OCa highlighted that better collaboration between the School Improvement and schools finance has led to robust management of budget. Only a small number of schools received additional support in this area.

3. **Local authority’s strategy for schools and nurseries with falling pupil roll**
   - Annie Gammon spoke to a presentation shared with Forum members and provided the following verbal update;

   A letter was issued to schools today addressing the issue of falling pupil rolls and the matter would be raised at the next Heads Briefing meeting.

   In the last 4 years, the child population in Hackney has seen a downward trend following an increase in the previous years. Schools that increased their form entry from 2 to 3 to accommodate the increase in population were now left with surplus places.

   It is anticipated that falling pupil roll would not affect secondary schools for another 3 years. The decrease in the child population had a significant impact on primary schools with some schools only seeing 80% take up of places. In addition, there was an increase in-year movement of children in between schools because of the number of vacant places available. This required schools to manage their budgetary challenges.

   Some schools have applied for a temporary reduction in PANS. The LA has agreed to the temporary reduction of PANs as an interim measure and noted a need across the system for a holistic strategy in managing decreased pupil numbers, for e.g. through permanent changes to PANS. The School Place Planning Group assessed the emerging issues across the primary phase, and took into account the challenges for each planning area, and formulated a number of proposals which would be shared with schools in the coming weeks. Further discussion was needed on the reorganisation of the primary phase. In terms of the reduction of PANS, its impact would be felt in 2022.

   **Member question - Is the decrease in children population a long term trend or temporary?**

   **Answer -** The decrease was a current trend across other inner London boroughs with an increase in population in the outer London boroughs. The LA was still required to maintain capacity to expand if possible in the future.

   **Member question - Can we be reassured that schools in disadvantaged areas will not be affected by the falling pupil roll and any LA decisions.**

   **Answer -** AG stated that it was important for children to have easy access to schools and were able to walk to local schools. The LA would have to conduct an analysis of the areas with population decrease and where the schools were located before any decisions were made.
4. **Membership and Terms of Reference (ToR) Update 2020/21 including roles and remit of the Forum members**

The report highlighted the changes to the membership of the Forum and recommended that Forum members agree to the ToR. There were vacancies on the Forum for an Academy governor and a Special school governor. Forum members were also presented with attendance information of the last academic year.

**Member question - The ToR states ‘In the 2018 to 2019 funding year the schools block is ring-fenced. Local authorities require schools forum approval in order to move up to 0.5% from the schools block to other blocks ’ Does this apply to 2021-22?**

Answer - Yes, any 0.5% move from schools block to other blocks in 2021-22 and subsequent years would need schools forum approval. The Schools Block was ring fenced from 2018-19 and the LA needed to seek Schools Forum decision on toplice - this decision would be brought to Schools Forum until the government rules stipulated a different practice.

It was noted that the wording needed to reflect this. **Action - SS to amend**

Schools Forum members agreed to adopt the ToR subject to the above amendment.

5. **Consultation on High Needs funding arrangements**

The Chair highlighted that the purpose of this item was for Schools Forum to give a view on the arrangements for pupils with SEND, in particular the places to be commissioned by the local authority and schools and the arrangements for paying top-up funding and arrangements for the use of PRU and the education of children otherwise than at school.

Nick Wilson (NW) provided the following key information from the report - the funding for SEND pupils were distributed in areas highlighted in paragraph 4. Whilst high needs grant funding has been increasing in recent years, it has not matched the increasing costs associated with significantly increasing numbers of children & young people with Education, Health and Care Plans (EHCP).

**Member question - Can the EY PVI sector be specifically mentioned in whichever category the fall in the HNs distribution?**

Answer - This would be considered for future reporting.

Forum members noted the arrangements for SEND pupils and PRU set out in the report which were largely unchanged from the current academic year. There were no further comments from the Forum.

6. **Approval of Central Schools Services Block 2021/22**

OCa provided the following key information from the above report which was shared with the Schools Forum. The Central Schools Services Block (CSSB) was funding allocation to the LA to carry out statutory functions on behalf of pupils in maintained schools and academies. The funding also enabled the LA to cover historic commitments, however, the LA needed to reduce the historic commitments as the DfE planned to eradicate this funding. Schools Forum was asked to approve the proposals outlined in paragraph 4, for use of the CSSB estimated at £1.8m.

A member raised concerns that the report did not provide clarity on why the LA had increased the allocation of funding from last year towards supporting Schools Forum. It was noted that last year’s figure and context for the increase were missing from the report. The 2.5% increase in wages did not justify the increased figure of 6%. It was resolved for the LA officers to provide further information regarding the increased funding for Schools Forum had increased and for Schools Forum to agree
via email (as allowed in the ToR). The deadline for the decision was set on Wednesday 18 November.

Subsequent to the meeting the following explanation was provided to members;

In response to the question seeking clarity on why the costs for supporting Schools Forum had increased from £42,000 to £52,000, we can confirm that there is no change in the amount year on year. The amount approved for 2019/20 was £52,000, and the amount for next financial year remains unchanged.

The allocation for ongoing responsibilities has increased by 6.45%. This allocation is determined by the DfE.

The clerk received further queries via emails with regards to increased allocation towards the Admissions service.

The following response was provided;

The CSSB has always been used to cover the costs of essential services. For the year 2021-22, the government increased this funding which the local authority has allocated towards expenditure in Admissions. Essentially the funds provided previously and allocated to Admissions did not cover all the costs in this service and the council covered the shortfall/additional cost of the Admissions team. The increased funding in 2021-22 and allocation towards Admissions has now closed this gap.

Schools Forum members resolved to agree and approve the proposals outlined by the LA for the use of the CSSB.

### 7. Annual Report School Funding Formula and Schools Block funding arrangement 2021/22

The Chair highlighted the purpose of this report, to seek the Forum’s approval on the following financial matters; LA’s proposal relating to 0.5% movement from the Schools Block to the High Needs block, the top slice of £72,500 from schools block to schools growth funding and de delegation options. Forum members were also asked to give their view on the Funding Formula for 2021-22. It was stated that the Director of Education (DoE) will make the final decision on the preferred model for allocation of the Schools Block in January 2021.

OCa presented the following key information from the report. The £2.2m estimated increase in schools block for 2021-22 incorporated the Teachers pay and pension grant. Also, the NFF baseline funding had increased. Although the MGF increased, Hackney’s basic entitlement still exceeded the national picture; £4,459 for primary and £6,496 for secondary schools.

The LA was required to consult with schools on the funding formula and on the delegation items. The appendices showed the responses received by the LA - the comments made by respondents would be considered by the DoE to finalise the funding formula. The favoured option has been to move towards the NFF ensuring a fair allocation to schools and minimising any turbulence this could cause.

**Member question - Is it normal for so few schools to respond (to the consultation)?**

**Answer - Yes**

TC provided the following Hackney context and background to the transfer of 0.5% from schools block to high needs block. For the financial year 2018-19 and 2019-18, Hackney Schools Forum did not approve this transfer and the LA resorted to applying for a disapplication for both years. The DfE rejected the disapplication request in 2018-19, however, approved the disapplication request in
2019-20. Last year, the Schools Forum approved the transfer of 0.5% from the schools block to the High Needs block for 2020-21.

It was a nationwide issue that LAs were not adequately funded by the central government for High Needs. Hackney Education had utilised its reserves towards the deficit in High Needs and there was no reserves available within Education to cover the overspend in this area. As advised by DfE, the overspend would be carried forward as a deficit budget.

Whilst the funding in High Needs would increase next year, it is still insufficient to cover the deficit. The anticipated increase of £5m would still retain the £5m overspend in this budget. The Council has been actively lobbying the government on a monthly basis. If the transfer was not approved, the Council would apply for a disapplication request with the DfE.

NW provided the following additional information; as of October 2020, the Hackney Council had 2574 active EHCP plans. There was a 12%-15% increase in EHCP applications. There were a number of strategies in place to help with the situation including to balance the provisions across the borough. The High Needs block will not have a balanced budget in 2021-22 and there was a need to lobby the government for sufficient funding. The increased funding would help towards balancing the budget over a long term period.

A member stated that some of the cost pressures were due to provisions being provided out of borough and in independent settings. Was there evidence that the Schools Forum had put a lens in the cost pressures and done something about it?
NW responded that at granular level the LA was aware of the costs for each child placed in an out of borough setting. The LA authority has plans in place to increase provisions in the borough developing more high needs places which were more cost effective. For e.g. an extension to post-16 provision in Garden School and development ARP provisions. These strategies could reduce expenditure over time.

The member also stated that there were historic cost pressures that were consistent. The development of new provisions would not alleviate that element. NW responded that at national level, the area was consistently underfunded. The Council was involved in lobbying the government on a monthly basis through the Councillors for an increase to the budget. LAs were only given £3.3m capital investment which was not sufficient.

The Chair summarised the discussion, that over time cost pressure had been supported through central Education reserves. There were no other reserves left that could be used to support this. AG added that the Council was faced with significant cost pressures across services. The issue of inadequate funding in High Needs was a national one and LAs had different strategies in place to manage the cost pressures. Some LA had undergone radical cost cutting strategies to ensure a balanced budget. Cllr Bramble further added that the reference to cost savings related to the Council as a whole. The Council surpluses had decreased - it is all part of the wider Council budget. The Council was also thinking about what to do in every area to enable cost savings.

A member stated that if the definition of the EHCP was broader it could help the LA to think about a broader range of solutions. AG stated that significant in depth discussion had taken place regarding providing for EHCP and whether there are more effective ways of providing for children. AG agreed to share further information on this at the next meeting to help inform decisions for the following financial year.

A member stated that the PVI sector was at breaking point. The SEND funding situation should be clearer and settings should be funded the whole of the assessment period, however, the funding is paid only when the EHCP is agreed. PVIs have to provide the same level of service and therefore, should be given the same consideration as maintained settings.
The Schools Forum resolved to make the following decision:

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<tr>
<th>No.</th>
<th>Decision Item</th>
<th>Votes</th>
<th>Outcome</th>
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<tbody>
<tr>
<td>1.</td>
<td>To transfer 0.5% from the schools block to the high needs block</td>
<td>For - 9, Against - 3, Abstention - 0</td>
<td>Agreed</td>
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<td>2.</td>
<td>Agree a top-slice of £72,500 from schools Block to fund the estimated School Growth</td>
<td>For - 10, Against - 1, Abstention - 1</td>
<td>Agreed</td>
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Delegation decision (primary school representatives voted for primary de-delegation and secondary school representatives voted for secondary de-delegation)

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<tr>
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<th>School contingencies @ £12.50 per pupil</th>
<th>For - Pri 6, Sec 2, Against - 0, Abstention - 0</th>
<th>Agreed for Pri and Sec</th>
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<td>3.</td>
<td>To support for UPEG &amp; bilingual learners</td>
<td>For - Pri 4, Sec - 2, Against - 0, Abstention - 0</td>
<td>Agreed for Pri and Sec</td>
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<td>4.</td>
<td>FSM eligibility service @ £3.38 per pupil</td>
<td>For - Pri 6, Sec - 2, Against - 0, Abstention - 0</td>
<td>Agreed for Pri and Sec</td>
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<td>5.</td>
<td>Licenses / subscriptions @ £3.02 per pupil;</td>
<td>For - Pri 5, Sec - 2, Against - 0, Abstention - 0</td>
<td>Agreed for Pri and Sec</td>
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<td>6.</td>
<td>For Trade Union Supply Cover @ £8.80 per pupil</td>
<td>For - Pri 6, Sec - 2, Against - 0, Abstention - 0</td>
<td>Agreed for Pri and Sec</td>
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<td>7.</td>
<td>For School Improvement (SRAS) @ £26.62 per pupil</td>
<td>For - Pri 6, Sec - 2, Against - 0, Abstention - 0</td>
<td>Agreed for Pri and Sec</td>
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<td>8.</td>
<td></td>
<td>For - Pri 6, Sec - 2, Against - 0, Abstention - 0</td>
<td>Agreed for Pri and Sec</td>
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8. **Agreement of Final DSG Budget for 2020/21 (current year update)**

Yusuf Erol provided the following key information from the above report; whilst the DSG values were known in April, the central government announcements and Schools Forum reports on the DSG were based on provisional values pending final allocations, usually published in July.

The report showed the differences in April and what was announced in July. The difference in Early Years was due to the January census. The differences in High Needs were due to import/export elements in the formula relating to the number of children that attend out of borough settings. DfE would deduct the money they would pay to schools directly.

It was noted that The DSG over-spent by £5m. The over-spend in high needs budgets was significantly more than £5m but the Council was able to offset some of the over-spend with in-year savings.

9. **Any other Business**
A member raised an issue that secondary members on the Forum may be disproportionately represented on Hackney Schools Forum compared to Primary representation. It was clarified that the number of representatives on the Forum needed to be proportionate based on the total number of pupils within the phases; the secondary phase only had two representatives due to the number of pupils in the borough within this phase.

It was resolved for the clerk to review the number of pupils in the maintained secondary phase and ensure our Forum had a proportionate representation based on pupil numbers. An update would be provided at the meeting of 3rd February 2021, and if relevant, a proposal would be presented to increase secondary representation for Forum members to agree. **Action - SS**

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<th>10. Dates of forthcoming meetings - noted</th>
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<tr>
<td>● 3 February 2021</td>
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<td>● 21 April 2021</td>
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<td>● 23 June 2021</td>
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