

Minutes of the Schools Forum Meeting

Meeting title:	Schools Forum Meeting	
Date/time	9 November 2022, 17.30-19.00	
Members:	<p><u>School Members</u> Kevin McDonnell (Special School Headteacher rep) Asarena Simon (Maintained Pri Headteacher rep) Robin Warren (Maintained Pri Headteacher rep) Sian Davies (Maintained Pri Headteacher rep) Lisa Neidich (Maintained Pri Governor rep) Andy English (Maintained Sec Headteacher rep) Lisa Clarke (Nursery School Headteacher rep) Richard Brown (PRU rep, Headteacher)</p>	<p><u>Academy Members</u> Claire Syms (Academy Principal rep) Phoebe Clapham (Governor rep)</p> <p><u>Alternative Provision</u> Anna Cain (Special Academy rep)</p> <p><u>Special School Members</u> Jo Clare (Special School rep)</p> <p><u>Non School Members</u> Cathy Murphy (EY/PVI rep) David Davies (Staff rep)</p>
Additional attendees:	<p>Cllr Anntoinette Bramble, Cabinet member for Education, Young People and Children Social Care Cllr Caroline Woodley, Cabinet member for Families, Early Years and Play Jacquie Burke (Group Director, Children and Education) Paul Senior (Interim DoE and Inclusion, Hackney Education) Nick Wilson (Interim Head of High Needs and School Places) Naeem Ahmed (Director of Finance (C&Ed), Hackney Council) Sajeed Patni (Interim Head of Finance, Children & Education) Ophelia Carter (Head of Schools Finance) Jo Larkin (Head of HR, Hackney Education) Rachel Cowburn (Head of PF Investments & Actuarial, Hackney Council) David Court (Head of School Organisation and Commissioning) Chenelle Blake (Clerk to the Forum)</p> <p>Martin Bradford (Overview & Scrutiny - LB Hackney) - Observer Cllr Sophie Conway (LB Hackney) - Observer Cllr Margaret Gordon (LB Hackney) - Observer</p>	
Apologies:	Monica Imbert (Head of Education Operations, Hackney Education)	
Members Absent:	David Davies (Staff rep), Phoebe Clapham (Governor rep)	

	Item
1.	<p>Welcome and introductions</p> <p>Sian Davies, the outgoing Schools Forum Chair welcomed members, additional attendees and observers to the first meeting of the academic year.</p> <p>Apologies above were noted.</p> <p>Sian welcomed and introduced the following new Hackney Officers and Schools Forum members:</p> <ul style="list-style-type: none"> • Paul Senior, Interim Director of Education and Inclusion • Andy English, Secondary Headteacher representative

<p>2.</p>	<p>Appointment of Chair and Vice Chair</p> <p>The Clerk chaired the meeting for this item.</p> <p>It was noted that one nomination was received 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 a show of hands to indicate 'in agreement to appoint' and the clerk clarified that only Forum members were able to vote for the Chair.</p> <p>Sian Davies was appointed the Chair of Schools Forum (2022-23) with 12 votes (based on members in attendance at the time of voting).</p> <p>The clerk received one nomination for the role of Vice Chair from Lisa Neidich, Primary Governor representative on the Forum. Lisa Neidich left the meeting for the voting process. Forum members were advised that voting would be carried out using a show of hands to indicate 'in agreement to appoint' and the clerk clarified that only Forum members were able to vote for the Vice Chair.</p> <p>Lisa Neidich was appointed as the Vice Chair of the Forum (2022-23) with 12 votes (based on members in attendance at the time of voting).</p> <p>Sian Davies assumed chairing duties from this point onwards.</p>
<p>3.</p>	<p>Minutes of the last meeting held 22 June 2022</p> <p>The minutes of the last meeting were reviewed and agreed as an accurate record of the meeting held 22 June 2022.</p> <p>3.2. Action log</p> <p>It was noted that actions recorded in the action log were either complete or addressed on the agenda of this or following meetings.</p> <p>3.3. Matters arising with written responses:</p> <p>3.3.1 Schools Supplementary Grant query relating to Special Schools and AP settings</p> <p>It was agreed that the written response answered the Member's query raised at the last meeting.</p> <p>3.3.2 Raising Achievement data analysis</p> <p>It was agreed that the written response provided a sufficient holding response to the Member's query raised at the last meeting; it was noted that a further update will be provided in February 2023.</p>
<p>4.</p>	<p>Membership and Terms of Reference (ToR) Update 2022/23 including roles and remit of the Forum members</p> <p>The Clerk to Schools Forum provided the annual report highlighting the changes to the membership of the Forum and recommended that Forum members agree to the ToR which had been slightly amended to reflect changes to local authority personnel titles.</p> <p>It was noted that there are vacancies on the Forum for x2 Primary Governor representatives, x1 Secondary School Governor representative, x1 Academy /Free School Governor representative and x1 16-19 representative.</p> <p>The clerk confirmed that efforts are being made to recruit to these vacancies.</p> <p>School Forum members were also presented with meeting attendance information from the last academic year 2021/22.</p>

	<p>School Forum Members noted the changes to membership and unanimously voted (by a show of hands) to agree to the ToR.</p>
<p>5.</p>	<p>Consultation on High Needs funding arrangements 2023/24</p> <p>Nick Wilson advised that the report highlights the high needs funding arrangements for pupils with SEND 2023/24. It was noted that this paper was prepared for Schools' Forum to note, as it does not propose changes to the current arrangements for this financial year.</p> <p>It was noted that the only expected future change is in relation to a greater analysis by the DfE on spend at child and institutional based levels; this will be rolled out through the SEN 2 census in January 2023 and through Hackney's participation in the Better Value program.</p> <p>Member comment: It is important to address the funding for local special schools, as Forum Members should be made aware of the issues in relation to these schools. A positive finance strategy was presented to Schools Forum this time last year, which reflected Hackney Officers working towards a better position, in relation to the growing numbers of children with EHCPs and where they are placed; including a move to reduce the number of out of borough placements in residential schools, which are extremely expensive. Disappointedly, since this was presented, nothing has changed. As a result, the following 3 implications should be noted:</p> <ol style="list-style-type: none"> 1. The position for special schools is already chronically underfunded, with at least 2 schools predicting substantial in-year deficits; as a result these schools have very little leeway in terms of the budget and what can be spent. 2. There is a catch 22 situation for Hackney. If the area of flexibility for special schools is with support staff, learning assistants, higher level learning assistants and agency staff within this cohort, there is a direct impact on EHCP pupils with complex needs; if special schools are forced to cut these budgets, they will not be able to admit these pupils when referred for potential places. The catch 22 element for the local authority is that this can potentially result in more pupils being placed in out of borough placements. 3. There is lack of parity between schools, in terms of per pupil funding. For example, Ickburgh is currently under funded by £1631 per pupil, leading to a shortfall across the pupil population of £265,353 per year; this contributes substantially to the unavoidable deficit. The issue of parity is in relation to pupils from a similar cohort. For example, a pupil previously funded at The Garden School, had their funding cut by the amount noted above, when transferred to the Ickburgh School. <p>In light of these implications, it is important for the local authority to consider these difficulties, in light of there being no additional funds available.</p> <p>Member comment: It is my understanding that 2 out of the 3 special schools are predicting <i>actual</i> deficits in the coming year, rather than in-year deficits. This is not a dissimilar position in comparison to many mainstream schools; however, the potential strategic difference from the local authorities perspective, is if any of the special schools are placed in a position where they cannot continue financially; this would place an unbearable stress on the system. There is certainly HE officer awareness of this strategic risk and there is assurance of future discussion with Councillors.</p> <p>The Chair asked Hackney officers to confirm whether there are any actions being taken, to reduce the number of out of borough expensive pupil placements.</p> <p>Paul Senior, Interim DoE and Inclusion responded and advised that out of borough placements is an area of high importance, which is being taken seriously as a challenge for all special schools. Since taking up the post as DoE, there have been initial conversations with special schools and recognition of the importance of sustaining and creating conditions that allow special schools to be sustainable, while continuing to offer the high quality of education and support for children and young people with SEND. Rest assured that plans are in place to diagnose the problems, establish the challenges, use benchmarking and propose Hackney sustainable solutions.</p> <p>Nick Wilson, Head of High Needs and School Places advised that Hackney is in the process of engaging a review of the high needs block, specifically in relation to the funding of special schools, their future commissioning of places and sustainability. In regards to the use of the non-maintained independent sector, Hackney is about 10% lower, with the availability of additional specialist places. The Manifesto commitment to create 300 places in the borough for pupils with EHCPs, with a three tier programme currently in place. The first tier is focused on creating</p>

	<p>Additional Resource Provisions (ARPs); the consultation has ended and quotes are being considered. Through this programme it has become apparent that there is a need to expand our additional schools and create an additional special school. The balance of completing this will take some years to change, due to the speed of provision and the starting point for the development of the provision. The use of non-maintained independent places is also skewed, as approximately 450 places are funded within the Orthodox Jewish (OJ) community schools, at a level that is agreed with individual schools; however, as the OJ population grows there is greater funding for this community due to the increase in need for special school places. It is important to note that the issue is being taken seriously.</p> <p>The Chair noted that it would be helpful through next year's report, to have a way to define this area more clearly; this would help assess the progress towards reducing the High Needs spend on out of borough places.</p> <p>Nick agreed to prepare a report for Schools Forum, detailing how funding is distributed.</p> <p>Action 1: Nick Wilson, Head of High Needs and School Places to prepare a report detailing how High Needs funding is distributed. To be presented at the next meeting scheduled 1 February 2023, for information only.</p> <p>Member comment: Early needs and nurseries are in a similar position, with historically having a significant amount of the hours children are in the settings being unfunded. If a 2,3 and 4 year old requires SEND support they are likely to need it for the whole time they are in the setting (15-32 hours). As a result there has been a historic shortfall at every level and the sector is at breaking point. A number of the groups that have historically taken 2-4 year olds through their statements or EHCPS, are likely to close between Christmas and the next academic year, due to the shortfalls in SEND funding and placement numbers. Consequently, this will create a challenge similar to that of special schools.</p> <p>Cllr Caroline Woodley acknowledged the challenges being faced and advised that the SEND Partnership Board is a forum to further discuss this with councillors.</p>
<p>6.</p>	<p>Approval of Central Schools Services Block 2023/24</p> <p>The report prepared by Ophelia Carter, Head of Schools Finance seeks approval of Schools' Forum for use of the Central Schools Services Block estimated at £1.85m.</p> <p>It was noted that the proposals for Schools Forum approval is outlined in paragraph 4 of the report.</p> <p>It was further noted that there is some funding which was previously allocated through the retained duties element of the Education Service grant which remains within the CSS Block and falls into the ongoing responsibilities bracket.</p> <p>Members were advised that the DfE is expecting the local authority (LA) to reduce historical commitments overtime, which was phased in 2022/23; it is assumed that from 2026/27 there will be no remaining historical commitments in the CSS Block.</p> <p>Members voted with 10 votes in agreement to formally approve the 2023/24 proposals for use of the Central Services Schools Block.</p>
<p>7.</p>	<p>Annual Report School Funding Formula and Schools Block funding arrangement 2023/24</p> <p>Ophelia Carter highlighted the purpose of the report, which aims to seek the Schools' Forum approval of the LA's proposals, relating to the DSG Schools Block and De-delegation for 2023-24. This report also seeks to consult Schools Forum on the LA's proposals relating to the schools' 2022-23 funding formula.</p> <p>It was further noted that Schools' Forum Members are asked to note the consultation with schools (letter attached to report - Appendix A, Part 1), outcome of the survey (attached to report - Appendix A, Part 2) and to read the funding formula (attached to the report - Appendix B)</p> <p>Recommendations are for Schools' Forum to:</p>

- Approve the Local Authority proposal to transfer 0.5% of funds from the Schools Block to the High Needs Block to support provision for children with SEND given the continuing exceptional cost pressures in this area (section 4 of the report).
- Note the estimated School Growth commitment to be funded from the Schools Block.
- Approve the Local Authority proposals for de-delegation from maintained primary & secondary schools as appropriate to maintain specific services provided to them (section 6 of the report).
- Give a view on the proposals to vary the local Hackney schools funding formula for 2023-24, noting the consultation responses received from schools (section 7 of the report).

In relation to the top slice, Ophelia noted that under NFF regulations, Hackney has limited flexibility to request up to 0.5% from the High Needs block, via Schools' Forum, in the bid to alleviate the SEND pressures. Table 1 under paragraph 1.3 illustrates the annual costs of EHCPs over the past 4 financial years, with a forecast comparison. Furthermore, the report details previous transfers for the last 3 years, under para 1.7, table 2.

Members were advised that Hackney is a part of the DfE's Better Value Programme; the objective is supported by funds of £85 million and has been made available to undertake a diagnosis of the reasons contributing to the deficit. Hackney is currently in phase 2 of the programme.

It was noted that there are no known growth commitments for 2023/24; however, the DfE funds the DSG on lag numbers. Residual funds of around £300,000 is expected in light of the October census; however, if numbers are not in line with the expected, this will not be received.

It was further noted that the Schools Block estimated DSG for 2023/24 is £220.5 million; this is an increase of 5.5% from 2022/23.

Ophelia advised that the local authority is seeking to implement model B, denoted on Appendix A. Model B will mirror the NFF rate on all factors except basic entitlement, as Hackney's is currently higher than the national figure. It is aimed to reduce the basic entitlement by 27% and set the minimum funding guarantee at 0.17%. As the basic entitlement is reduced it will result in a higher MFG budget than currently set for 2022/23.

It was noted that MFG does not protect schools with falling rolls.

Ophelia confirmed that there are no material changes to the overall activities relating to de-delegation or the services recommended for approval.

The Chair invited Members to raise questions related to items 1, 2 and 3; there were no questions raised.

The Schools Forum resolved to make the following decision;

No.	Decision Item	Votes	Outcome
1.	To transfer 0.5% from the schools block to the high needs block	For - 7 Against - 0 Abstention - 0	Agreed
De-delegation decision (primary school representatives voted for primary de-delegation and secondary school representatives voted for secondary de-delegation)			
2.	School contingencies @ £12.50 per pupil	For - Pri - 4, Sec - 1 Against - 0 Abstention - 0	Agreed for Pri and Sec
3.	To support for UPEG & bilingual learners	For - Pri - 4, Sec - 1 Against - 0 Abstention - 0	Agreed for Pri and Sec
4.	FSM eligibility service @ £3.38 per pupil	For - Pri - 4	Agreed for Pri

	(Primary only)	Against - 0 Abstention - 0	
5.	Licences / subscriptions @ £3.02 per pupil;	For - Pri - 4 , Sec - 1 Against - 0 Abstention - 0	Agreed for Pri and Sec
6.	For Trade Union Supply Cover @ £8.80 per pupil	For - Pri - 4 , Sec - 1 Against - 0 Abstention - 0	Agreed for Pri and Sec
7.	For School Improvement (SRAS) @ £26.62 per pupil	For - Pri - 4, Sec - 1 Against - 0 Abstention - 0	Agreed for Pri and Sec
8.	For underspend or overspend from de-delegated budgets to be carried forward for use in the following year's de-delegated budgets.	For - Pri - 4, Sec - 1 Against - 0 Abstention - 0	Agreed for Pri and Sec
8.	<p>Agreement on use of the unallocated surplus funds</p> <p>Ophelia reminded Members of the discussion held at the last meeting, where there was an exploration of options available to support schools experiencing falling rolls; during this discussion Members suggested setting up a falling rolls fund. In conjunction with these discussions, Members were considering how Hackney could reimburse redundancy costs to schools undertaking staffing restructures. Since these discussions the Hackney Schools Redundancy Panel has been established to allow schools to reclaim these redundancy costs, with 4 successful applicant schools benefiting from the reimbursement of funds.</p> <p>At the end of 2021/22, in relation to surplus balance for the contingency there was £158,000; this was brought forward at the close of the year and rolled over to 2022/23, as per the discussions held by Schools Forum on 22 June 2022. This has created a pot of £312,000 for this financial year and an update on expenditure lines will be provided on the use of these funds accordingly in June 2023.</p> <p>In light of the above, Ophelia noted that initial discussions about options available to support schools with falling rolls was superseded by the establishment of the Hackney Schools Redundancy Panel.</p> <p>Cllr Bramble advised that Hackney Councillors are working on a broader strategic piece of work, in relation to falling school rolls and assured Members that councillors are truly aware of the challenges being faced by all schools.</p>		
9.	<p>Hackney Schools contribution to the Hackney Local Government Pension Scheme</p> <p>The Chair advised that the request for this report arose from discussion at previous meetings, in relation to schools pension contributions for support staff and the high staffing costs.</p> <p>It was noted that Rachel Cowburn, Head of Pensions, provided Members with a comprehensive report in advance of the meeting; it was assumed that Members had read the report, so Rachel highlighted the following key points:</p> <ul style="list-style-type: none"> • The Pensions team is extremely conscious that the LGPS contribution rate has historically placed pressure on school budgets; over the last few years the team has looked to bring the contribution rate down in a sustainable way. In 2016, the rate payable by Hackney Council/maintained schools was 36.9%; the team has worked to reduce it to 30% for maintained schools; however, this varies slightly for academies. • We are currently in the middle of the 2022 valuation process, in line with the 3 year requirement under the regulation which governs the scheme. The last evaluation was carried out 31 March 2019, which set 		

	<p>the rate currently being paid (from 1 April 2020 to 31 March 2023). It is hoped to issue a full set of employer rates in the next few months.</p> <ul style="list-style-type: none"> • Funding positions have improved from 92% in 2019 to 106% in 2022; this increase is mostly driven by good investment performance; this is similar to other LA government funds. As a result there have been substantial reduction in deficits. • Substantially improved funding level, however profound funding uncertainties expected going forward. • Legal obligation from 1 April 2023, to increase the value of pensions by 10.1%, which will put a huge amount of pressure on cash flows. To support this pressure there have been changes and efforts were made in relation to investment strategies, in order to generate more income. Despite these efforts, we continue to expect a significant cash flow pressure anticipated over the next few years. • Council contributions rates have dropped, as funding positions have improved over the last few years. • Hackney, over the last few years, has seen rates come more in line with other boroughs, rather than being the highest. • It is hoped to bring the contribution rate down by a further 2-3%, applying to both council and maintained schools. • A key comparator to note, is where the rate payable for support staff stands in relation to the rate payable for teachers; the rate payable for teachers has increased over the last 3 years. • We are unable to provide information on individual academy school rates as this information is not available; however, the pattern observed has been of historic deficits reducing, but ongoing costs increasing. <p>A Forum Member congratulated Rachel and her team in relation to the reduction to 27-28%; the Member commented that this is the first positive financial news in a long time, which will particularly benefit the special school sector, as they tend to employ more support staff.</p> <p>The Forum Member additionally emphasised the importance of being aware of the comparison with other London Boroughs. Although Hackney is better funded per school place, compared to most other boroughs in London, in the past we have also had significant additional costs which other London Boroughs have not experienced. In light of this, it is important to continue looking at comparator data.</p> <p>Rachel agreed to attend a future Schools Forum meeting to share more information about what LA's pay, which should be available in Spring. It was agreed to schedule this report for the meeting in April 2023.</p> <p>Action 2: Clerk to schedule Rachel Cowburn to attend the April 2023 meeting, to share LA comparator rates data.</p>
<p>10.</p>	<p>Agreement of Final DSG Budget for 2022/23 (current year update)</p> <p>Ophelia Carter highlighted the purpose of the report for Schools Forum to note the total DSG for 2022/23 was £230.9 million; the academies share was £82.7 million.</p> <p>It was noted that the DGS was overspent by £4.7 million; this was initially a larger overspend; however, the Council was able to offset some of the overspend with in-year savings</p> <p>Schools Forum noted the final DSG budget update with no questions.</p>
<p>11.</p>	<p>Free Schools Meal (FSM) Report</p> <p>The Chair advised that this a report for Schools' Forum to note.</p> <p>Sajeed Patni advised that the report was presented to the CYP Scrutiny committee last month; the report shows the processes currently in place, including the approach to promotion of FSM, and comparison data nationally and locally.</p> <p>The Chair commented that there are many more schools who provide Universal FSM from their own budgets, which have been included in the report; therefore, it would be useful to have this information collated and shared.</p>

	<p>The Chair further noted the stark difference with schools having a higher number of children eligible for FSM compared to others; this is an area to closely monitor.</p> <p>The Director of Education and Inclusion advised that this has been discussed at the local scrutiny meeting, which has led to the commission of a task and finish group focused on food poverty and education; through this programme of work the group will focus on benchmarking, looking at good practices and will work on a series of recommendations for how Hackney can take this agenda forward.</p> <p>Member comment: It is an ongoing difficulty to determine how many eligible families are making applications and receiving for FSM. There are a number of other neighbouring boroughs with systems in place to establish eligibility; is this something Hackney is willing to explore or work with boroughs to establish. It is absolutely crucial that every eligible family is in receipt of what they are entitled to and it is also crucial for the school, due to the pupil premium grant linked to the eligibility; despite this, there is a considerable gap.</p> <p><i>The Director of Education and Inclusion responded:</i> There is a considerable gap in relation to the take up for FSM and it is hoped that the task and finish group will help to establish working systems/processes to close the gaps of up to 20% eligible families not accessing FSM.</p> <p>Member comment: Nursery children do not receive Universal FSM; therefore, we have taken steps to look hard at who is eligible for FSM, as it is linked to the early years pupil premium funding. In light of this, it is important for nursery children to be in receipt of FSM, so the appropriate funding is received. It is equally important that schools encourage parents to apply so that the early years premium funding is received to support early years in schools.</p> <p>Member comment: National Insurance numbers are provided by parents in some EY settings; however, this is voluntary for parents to provide and many are sceptical to provide this personal information. It would be good to promote the reasons why this information is requested, to encourage parents to share and ultimately allow schools to determine those who are eligible.</p> <p>The Chair thanked the report authors for the informative report.</p>
<p>12.</p>	<p>Any Other Business</p> <p>A discussion was held about returning to face to face meetings; it was agreed by the Director of Education and Inclusion, that this would be revisited outside the meeting. However, it was suggested to consider the meetings in the winter months to be held online, with spring/summer meetings held face to face.</p> <p>It was suggested to consider hosting the April in person.</p>
<p>13.</p>	<p>Remaining dates for 2022/23</p> <ul style="list-style-type: none"> ● 1 February 2023 ● 19 April 2023 <i>(date set aside for training)</i> ● 21 June 2023
<p>14.</p>	<p>Summary of actions agreed:</p> <ul style="list-style-type: none"> ● Action 1: Nick Wilson, Head of High Needs and School Places to prepare a report detailing how High Needs funding is distributed. To be presented at the next meeting scheduled 1 February 2023, for information only. ● Action 2: Clerk to schedule Rachel Cowburn to attend the April 2023 meeting, to share LA comparator rates data.