

Slough Schools Forum - Meeting held on Wednesday 19th January 2022

- Present:** John Constable, Langley Grammar School (Chair)
Ben Bausor, Always Growing Ltd
Peter Collins, Slough & Eton Church of England Business and Enterprise College
Gill Denham, Marish Primary School
Emma Lister, Chalvey Early Years Centre
Eddie Neighbour, Upton Court Grammar School
Carol Pearce, Penn Wood Primary School
Jon Reekie, Phoenix Infants School
Jo Rockall, Herschel Grammar School
Jamie Rockman, Haybrook College
Neil Sykes, Arbour Vale School
Maggie Waller, Holy Family Primary School
- Officers:** Chelsea Barnes, Principal Educational Psychologist - GM Inclusion
Sabi Hothi, Group Manager, Education Services, Education and Inclusion
Kamaljit Kaur, Interim Finance Business Partner
Johnny Kyriacou, Associate Director, Education & Inclusion
Tony Madden, Development Manager
- Observer** Councillor Christine Hulme, Cabinet member (Children's Services, Lifelong Learning & Skills)
- Apologies:** Andrew Fraser, Interim DCS and CEO Slough Children First
Valerie Harffey, Ryvers School
Navroop Mehat, Wexham Court Primary School
Coral Snowden, Western house Academy

The Chair welcomed everyone to the meeting, and explained that there was no clerk available for this meeting. Instead, the meeting would be recorded and transcribed afterwards.

876. Any Other Business

Johnny Kyriacou gave notice of an item to be raised immediately following Agenda Item 8.

877. Declarations of interest

There were none.

878. Minutes of previous meeting (9th December 2021)

Minutes were accepted as an accurate account of the previous meeting.

Matters arising from the minutes

There were no matters arising which were not covered elsewhere in the agenda.

879. Schools Forum Membership update

The Chair notified members that Peter Collins had agreed to serve another term as an academy representative and was appointed for a further two years until January 2024; also that Coral Snowden had agreed to extend her term until April 2022 to give time for nominations for a primary academy representative to be sought.

The Chair reminded members that there was still a vacancy for a secondary academy representative and nominations would be sought.

Emma Lister, representing Chalvey Early Years Centre, was welcomed as the new representative for maintained nursery schools. Gill Denham, representing Marish Primary School, was welcomed to her first meeting following appointment as she had been unable to attend in December.

880. DSG monitoring report

Kamaljit Kaur presented an updated monitoring report on the 2021-22 DSG, which showed some small changes from the previous monitoring report presented in December 2021. The projected 2021-22 overspend has increased by £1 million, mainly due to some unpaid invoices for out of borough special school placements. An additional £300,000 relating to special school teachers' pension payments wasn't recorded in the previous projection. The overspend balance in the High Needs Block is now projected as £20.6m and the DSG management action plan is based on that revised figure.

Peter Collins commented on the statement in the report that there was still a risk that other costs may also be identified as part of the year-end review process, which could further increase the deficit, and asked how likely this was. Kamaljit Kaur confirmed that there was still a small risk this could happen but it was thought to be unlikely. Johnny Kyriacou commented on the increasingly robust approach of the financial team and the increased scrutiny and analysis of the High Needs block which should reduced the likelihood of unexpected additional pressures.

881. DSG Management Plan update

Johnny Kyriacou presented a verbal update on the DSG Management Plan and advised that a full written report will be provided for the meeting in March. He confirmed that the Local Authority was consulting with stakeholders and sharing the draft plans and projections have been to date. The aim of this report was to update Forum members on the principles behind the approach to the management plan and what the potential mitigations are. Some informal documentation was screen-shared with members to illustrate some of the areas of pressure within the High Needs Block and the possible mitigations being considered.

There is an increasing understanding within the Local Authority regarding the increase in the overspend in recent years. In relation to the escalation of costs in independent, non-maintained special school placements, the LA is looking at what we're doing around commissioning, particularly focusing on the increase in cost of post-16 placements, particularly for those aged 21 and over and looking at more robust decision. There is also an increasing number of requests for assessment at the SEN panel; again, the need to develop a more robust way of working is recognised, together with more transparent decision making and ensuring that decisions are made based on need, not unnecessary want.

More sophisticated data is needed to provide clarity around numbers of high need children in mainstream settings. The data systems in the LA need improvements to get a better grip of the numbers across the town, which will help us to be more strategic about where children are placed. We have inherited a recent resource base review as a good starting point. The intention is to provide training for send officers to make sure that they're using the management information system well in a more sophisticated way.

With regard to alternative provision, the LA is also looking at achieving a position of sustainability as opposed to strictly what is statutory, and ultimately trying to achieve a balance between making savings and making the right provision for our young people. There are ongoing discussions with the alternative provision providers at primary and secondary.

The existing SEND banding model is showing the 40% inflation rate; this is a key risk and there are short, medium and long term plans in place to tackle this.

Johnny Kyriacou confirmed that the LA did not want to approach the situation with the intention of just cutting everything, recognising the potential impact on the system, and the negative impact on young people and on schools in general and in some cases, specific funding for particular schools. Slough has one of the largest overspends in the country; it is recognised that some difficult decisions may need to be made in order to achieve the balance. He confirmed that the LA is due to meet with the DfE in April with regard to inclusion in the 'Safety Valve' programme.

The Chair asked whether the overarching aim was to eliminate the in-year High Needs deficit or simply to minimise it? Johnny Kyriacou advised that the aim is to get the as low as possible. The overspend has been increasing over a number of years; the initial aim is to get to understand why this has happened and why in particular in our local authority. The initial thinking was that we need to get to zero deficit, but following conversations with DfE the thinking now is to ensure that we reach a sustainable position. If the LA is included in the Safety Valve programme, then there would be a five-year agreement with the DfE and we would be working towards sustainability over that time scale.

Johnny Kyriacou also described the complexity of the situation which is compounded by the outcome of the area SEND inspection and the Section 114 notice which impacts the Council's wider financial position. He confirmed that the aim was to still try and ensure that support structures are in place for young people and that the LA would not be making any decisions about specific young people based on the financial package.

The Chair asked whether the LA was aware of any intention by the DfE to increase into the High Needs funding nationally. Johnny Kyriacou advised that the LA had no indication of this but there was a sense that the DfE understands that the level of need is rising and that the system does need more money. However, DfE also appears convinced that local authorities where overspend is really high can have a more robust approach.

Cllr. Hulme asked when a decision from DfE was expected about whether or not Slough would be joining the Safety Valve programme. Johnny Kyriacou confirmed that there is a meeting with DfE in April.

Kamaljit Kaur confirmed that the LA has just been informed that the DfE has provided a further £325m of funding at national level. Slough's share of this is £1.2m increasing the 2022-23 High Needs allocation from £30.6m to £31.8m. This was the level of funding originally anticipated.

Johnny Kyriacou left the meeting at 9.35am; prior to this an item of AOB was discussed which is minuted under item 888.

882. SEND Banding

Chelsea Barnes, Principal Educational Psychologist gave a verbal update on the SEND banding matrix which added detail to the DSG Management Plan item in relation to some short term actions. The banding matrix that was introduced in 2019. The LA's key duty is to make sure that all children with an education, health and care plan have their provision appropriately funded, but also needs to ensure that the banding mechanism used fits within the financial envelope.

The robustness of the process at the SEND panel, where decisions around assessing, issuing plans and banding are made, has been looked at. Some impact on the overall cost of the banding system from that has already been seen through a comparison of the three month period from 2020 compared to the same period in 2021.

The new banding matrix was introduced incrementally, with young people whose plans still had a banding from the old system due to be updated at the next phase transfer point. A lot of young people with EHCPs in the old system typically had a banding of either £6k or £9 as the most common banding levels achieved. The new banding system doesn't have an equivalent banding level to these; there are eleven levels from £2k to £40k but no specific levels set at £6k or £9k. This has created an inflationary pressure as when the banding for young people going through phase transfer is considered, they are often going up to the nearest level above the old banding eg from £6k to the next available level at £7.5k, or from £9k to £10k.

For this year's phase transfer the intention is to still re-band under the new matrix where the annual review or the amended plan shows a change in need, necessitating a change in provision and therefore resource attached. However, for young people where their need and provision is being met through the level of the old banding, they will be kept at that level of funding until the whole matrix system has been fully audited and proposals brought forward.

The Chair thanked Chelsea Barnes for her update. There were no questions or comments.

883. Growth Fund

Tony Madden presented the paper summarising the position with the Growth Fund and the proposed allocation criteria for 2022-23.

Appendix A of the report showed the predicted outturn for 2021-22, updated from the previous report in May 2021. The carry forward from 2020-21 was £65k, with a top slice of £750k. A small amount of contingency being held; this had been reduced to two month's worth of funding; as the LA was not expecting to use this, a positive carry forward into 2022-23 was expected.

Forum was notified in May 2021 that there would be a change to the way in which expansions at academies would be funded, to provide funding for the academic year in once tranche covering September to August. Forum agreed to the changes with 2022-23 being the adjustment year. Appendix B covered the catch-up year 2022-23; the proposed top slice of £950k had been noted by Forum in May 2021 but this included the additional academy recoument required by the adjustment and was expected to be the last year of any large top slice. Two secondary schools (Westgate and Wexham) required support from the Growth Fund but both were coming towards the end of their expansion. Two contingency classes were included in recognition of the peak of demand for year seven at secondary.

Appendix C showed the preliminary forecast for 2023-24, indicating a significantly reduced top slice of £300k with only one school requiring support.

It was confirmed that the LA was not proposing any changes to the allocation criteria, which would cover bulge classes, any permanent expansions by a form of entry at maintained or academies, and any new places that are requested by the local authority in excess of planned admission numbers.

The Chair thanked Tony Madden for his very clear summary of the position. Maggie Waller asked whether the full £950k top slice was needed in 2022-23 given that there was a forecast underspend in excess of £160k. Tony Madden advised that this was a cautious approach in line with guidance from finance colleagues, and that the forecast underspend was in line with previous years.

The Chair reiterated to Forum members that the £950k top slice had been noted by Forum in May 2021. Members **approved** the allocation criteria and **noted** the forecast position for each of the three years 2021-22, 2022-23 and 2023-24.

883. Schools Block 2022/23

The Chair advised Forum members that this item concerned the LA's request for a transfer of funds from the Schools Block and confirmation of the full national funding formula rates for the 2022/2. Forum was required to make a decision on the transfer of funds from the Schools Block in line with the statutory responsibilities of schools' forums. The Chair reminded Forum members that previous requests to transfer funds from Schools Block to the High Needs block had been refused on the grounds of there being no evident strategy for bringing the deficit under control.

The Chair also asked Forum members to note that the situation was different to that outlined in December 2021. The request was actually for two transfers. The first was a repeat of last year's request to move £100k to the CSSB to support the funding of the admissions team; this had been agreed previously as a one year commitment, but with an indication that it would be supported again in the future. This amounted to 0.04% so the request for transfer to the High Needs Block was the balance of 0.44%, amounting to £676k.

Kamaljit Kaur presented the paper and confirmed that the modelling of school budgets had been based on the updated data from the October census which gave a net increase of 244 children compared to October 2020. Two options were presented, one with the 0.5% transfer and one without. With the MFG set at +0.5%, option 1 would mean a +2.5% uplift on the formula factors, and +3.0% in option 2. Although the per pupil rate funding rates increased in both options, some schools' would see an actual budget decrease due to falling numbers on roll.

Peter Collins shared a brief summary of the discussion at the secondary headteachers' meeting; there was not an outright view that the transfer should be opposed this at all, but neither was there an overwhelmingly strong view that it should be supported. The two main concerns were the possibility of setting precedent that would be needed every year as part of ongoing management of high needs block spending, and the absence of a credible plan as to what the transferred amount would be used for. Jamie Rockman commented that Slough is very much an outlier in terms of its deficit level but that there is also significant pressure across the board and across the country for the high needs block to be supported. Kamaljit Kaur responded by confirming that it was common practice in London boroughs for these transfers to be granted, but reassured Forum members that the funding would go directly to supporting high-cost local and out-of-borough SEND placements.

Peter Collins asked whether this was a one-off request because of the current circumstances or whether it would become an annual request to support the ongoing management of the high needs block. Kamaljit Kaur agreed that the LA could request every year, but hoped to be in a more secure position next year following implementation of the Management Plan actions and possible inclusion in the Safety Valve programme. The Chair confirmed that framework allowed LAs to make requests and that it was expected by the DfE that they would do so, although the decision was for the Forum.

Maggie Waller asked if there had been any discussion amongst primary heads. Gill Denham confirmed that she was not aware of any such discussion, and that she would favour the transfer subject to subsequent clarity over how the funding would be used. Other primary

representatives agreed it was unfortunate that there had not been wider consultation with primary headteachers. Maggie Waller stated that it was disappointing that there had not been a proper consultation as in previous years, although Forum members understood and were sympathetic to the reasons why this hadn't happened; it was very much hoped that there should be a return to full consultation next year. Kamaljit Kaur confirmed the very tight timing caused by the late publication of the APT at the very end of last term.

Peter Collins summarised the situation as reluctant support because of the desire to work in partnership with the local authority to address the underlying problem. He requested that a decision to support should be for one year only, not setting a precedent going forward, and that officers should report back on how the funds transferred were used so that Forum can monitor the effectiveness of the transfer.

The Chair proposed that Forum agree to the transfer with the caveats expressed. Forum members therefore **approved** the transfer of £100k from Schools Block to the CSSB and **approved** the transfer of the balancing 0.44% figure (£676k) to the High Needs block transfer. The caveats were reiterated – this is a decision binding on 2022-23 only with no precedent for future years, and that a report should be brought to the March Forum meeting describing in detail the difference that this funding has made and how the funds transferred are being allocated. The Chair agreed to work with officers prior to the next meeting to ensure that there would be appropriate clarity.

884. Early Years funding 2022/23

Kamaljit Kaur presented the paper on the Early Years funding for 2022-23. Funding rates for 3-4 year olds had increased; two options had been modelled and put to the EY Task Group for consideration. Final amounts would be confirmed following the January 2022 census. Option 1 increased 3-4 year old funding from £5.55 to £5.65 and 2-yr old funding to £5.94, representing a 5% deduction for central services. Option 2 raised 3-4 year old funding to £5.56 and 2 yr old to £5.90. The 95% pass-through rate was confirmed for both options. Option 1 received majority support from the EY Task Group members as noted in the paper.

In response to an earlier query from Maggie Waller, Kamaljit Kaur confirmed that the maintained nursery supplement MNF has slightly reduced for 2022-23 to just under £699k due to a reduction in pupil numbers. Emma Lister asked for confirmation that the maintained nursery supplement funding included the 3.5% national uplift following the spending review. Kamaljit Kaur confirmed this was the LA's understanding and explained why the reduction in MNS was smaller than expected from the drop in pupil numbers.

Forum members endorsed the EY Task Group recommendation and **approved** Option 1.

885. Task Group update

Kamaljit Kaur confirmed that the Early Years task group members had been consulted on the options for EY funding, although the group itself had not met.

The Chair proposed that clarification be sought about the status of the High Needs Task Group and reported back to the next meeting.

886. Task Group update

No update provided.

887. Forward agenda plan

The Chair confirmed the next meeting was scheduled for 10th March and that three meetings were scheduled for the rest of this year. The DSG management plan update would be a standing item at each meeting.

888. Any Other Business

888.1 School improvement funding

Johnny Kyriacou informed Forum members that the local authority receives a grant of £50k to carry out school improvement duties; technically this is for the local authority to be able to carry out statutory duties towards supporting maintained schools. The DfE has concluded a consultation, and will be cutting the grant by 50% for next financial year and then 100% the year after. Slough has very few maintained schools so gets the least amount of funding, but this is used to supplement the school improvement offer to all schools, both maintained and academies.

The funding will therefore be cut by £25k in April 2022, and disappears the following year. The grant contributes towards the salaries of the school group manager for school effectiveness and the safeguarding officer, who provides a lot of support to schools. DfE's advice is to ask the maintained schools if they're willing to de-delegate funding to make up the shortfall. The LA regards it as unfair to ask Maintain Schools to plug a £25k gap in funding for a service which is provided for all schools.

Maggie Waller commented that this was very clear, that if the service benefits all schools, then any plugging of any gap ought to be at least asked of all schools; as a maintained school representative she would not support de-delegation from just maintained schools for a service that's for all schools. If the service is valued, it should be supported by all schools.

The Chair suggested a discussion between the LA officers and the chairs of the primary and secondary headteachers' associations; this should consider the options and develop proposals to take to the School Improvement Board and bring back to Forum. This suggestion was accepted by Forum members

Meeting closed at 10:40 am