**Schools Forum Meeting Minutes of 25th September 2024**

**held at**

**Hamptons Sports & Leisure, Chelmsford CM2 9FH**

**08:30 – 11:15**

*(Approved 27 November 2024)*

In Attendance

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| Ruth Bird – Chair | Scott Bowak (SB) | Jody Gee (JGe) |
| Jeff Fair (JF) | Carole Herman (CH) | Stuart Roberts (SR) |
| James Saunders (JS) | Nigel Hill (NH) | Liz Gelston (LG) |
| Don Wry (DW) | Marilyn Smith (MSm) | Emily Welton (EW) |
| Claire Styles (CS) | Harriet Phelps-Knights (HP-K) | Natalie Christie (NC) |
| Jennifer Grotier (JG) | Pam Langmead (PL) | Lyn Wright (LW) |
| Rod Lane (RL) | Michelle Steadman (MSt) | Sue Bardetti (SBa) |
| Ruth Sturdy (RS) |  |  |
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| **LA Officers** |  |  |
| Yannick Stupples-Whyley (YSW) | Andrew Page (AP) | Cllr Tony Ball (TB) |
| Ralph Holloway (RH) | Val Cleare (VC) - Minutes | Helen Lincoln (HL) |

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| **1.** | **Apologies for Absence and substitute notices**  Apologies were received from Sean Moriarty, John Hunter, Debs Watson, Jinnie Nichols, Clare Kershaw, Robin Taverner, Charlotte Little, Chanel Lassman and Jo Santinelli.  RB welcomed Don Wry (Primary Academy Headteacher), Natalie Christie (Secondary Academy Headteacher), Jennifer Grotier (Special Maintained Headteacher) and Michelle Steadman (Maintained PRU representative) who all joined Schools Forum for the first time today.  RB welcomed Helen Lincoln who was substituting for Clare Kershaw and Pam Langmead substituted for Jinnie Nichols. |
| **2.** | **Schools and High Needs Funding 2025/26 (Jeff Fair/Yannick Stupples-Whyley)**  JF updated Schools on the delay to the provisional funding settlement, of the pressures within the High Needs Block. JF stated this is the first time of looking at this when there is uncertainty in the consultation process to make changes to the formula with a timetable that is unlikely to move.  There are two sections to the paper. Local Authorities will be hoping to maintain progress towards the National Funding Formula. The second part is to add that section of funding where we have no information about the next year’s budget.  There are, however, some knowns. The HNB will be overspent on anticipated funding. There is a lot of discussion at the moment. We looked at the information the Local Authority is putting forward and the reasons why to mitigate the difficulties. JF referred to the Minutes of the Joint Meeting of the Finance Review Group and the High Needs Review Group which was held on 11th September 2024. JF, as Chair, abstained during the meeting. JF stated we do not want to be in any DfE support structure, as funding is insufficient to meet the needs.  JF reported the proposals are not comfortable. Politically in Essex, we have difficulty when school balances total **£184m**. As a Finance Review Group, we have looked at the political reason why money is being held but do not have a reason. JF asked people to come with an open mind about the discussion paper and consultation. What is proposed in the paper is a 1% transfer to try to ensure we do not end up in the DfE process. It is not within the remit of the Schools Forum to make the decision. Please consider the mitigation that the Schools Forum has already put in place to manage the situation. As Schools Forum we have done extremely well to be in a position until just now to look at this. We have planned ahead 15 years ago investing to mitigate to reduce the costs to do work. The capital work is still not fully online.  JF suggested everyone to think carefully and to be wise and aware to be in a position to protect ourselves as schools within Essex to ensure we maintain control rather than being forced into what we should do. There was a lot of concern about moving money. There are some schools with no balances at all, but within the current funding structure there is nothing anyone can do about this.  YSW presented the proposal to the Forum to transfer 1% from the Schools Block to the High Needs Block and sought approval for mitigations from other DSG blocks. YSW spoke about the consultation around the Schools Formula. Whilst the Local Authority is the decision maker, we have to consult with mainstream schools. We are operating in the dark. The provisional settlement is expected after the October Budget statement.  YSW informed the proposals in this paper are all the mechanisms the Local Authority has available to smooth out the Schools Formula to make sure it meets the DfE criteria. The Minimum Funding Guarantee to be set between 0% and 0.5%. Essex uses 0.5% but an option is to lower MFG towards the lower limit. Capping – would have to come to Schools Forum to agree the cap.  YSW reported on the second part of the proposal to transfer up to 1% from the Schools Block. The National Funding Formula does not interact between the Schools Block either. We will continue to work with our local MPs and the DfE to lobby for additional funding. YSW referred to Chart 1 (pie chart) which showed how the budget for the High Needs Block is allocated in 2024/25. Chart 2 showed the same comparison when the last transfer was made. It can be seen that special schools remain at 35% with mainstream increasing by 1%, independent schools by 5% and the funding retained by ECC decreases by 3%.  Table 5 showed historically the previous movements between blocks from 2015/16 to 2018/19. It was noted there have been no movements between blocks since 2019/20.  Table 6 showed the key pressures – Total: **£15m**:  **Top-up Funding Mainstream Schools** – due to an increase in volume of EHCP’s. **£6.2m**.  **Individual Packages of Education Support** – due to an increase in pupils not in a school setting who access education through tuition services within the IPES framework. **£4.2m**.  **Special Schools Top-up** – due to an increase in volume and cost of placements. **£4.1m**.  **Essex Pupils attending other Local Authority** schools – due to an increase in the volume of placements and an increase in cost of placements. **£1.0m.**  **Independent Schools** – due to an increase in cost and volume of placements. **£2.3m**.  **High Needs Block Contingency** – contingency held to offset pressures. **(£2.0m).**  **Contribution to Pension Deficit** – pension deficit contribution for ECC employee posts funded by the High Needs Block is deferred for 2024/25. **(£0.8m).**  Going forward Chart 3 showed that when the original request for a Schools Block transfer was made in November 2018 that there were 8,759 EHCPs. In 2024/25 this has increased to 13,659 EHCPs, an increase of 55.9%. The forecast by 2028/29 is a further increase to 17,042 EHCPs, an increase of 24.8% from 2024.25.  Chart 4 showed the growth in EHCPs between mainstream and special schools. It could be seen the growth in mainstream is at a higher rate than the growth in special schools as the gap between the lines widens.  Chart 5 showed the average cost of Top-up funding for mainstream schools and special schools. Whilst the average Top-up funding is forecast to increase for both mainstream and special schools, the forecast growth in mainstream is significantly higher at 101.4% compared to 22.7% in special schools.  Chart 6 showed the growth in EHCPs between primary and secondary. Primary initially increased at a higher rate in 2023/24. From 2024/25 growth between primary and secondary is fairly even with secondary forecast to grow at a slightly higher rate from 2027/28.  Chart 7 showed the forecast growth in independent school placements. It showed the pressure in actual funding of **£18.9m** in 2022/23 and is forecast to increase to **£76.9m** by 2028/29.  Chart 8 showed the growth in placements for independent schools where it can be seen there is significant growth forecast in 38 weekday places.  Chart 9 showed the average cost of independent places which are increasing due to inflation and the increasing complexity of children.  Chart 10 showed the forecast growth in cost for pupils with EHCPs accessing IPES provision, increasing up to **£40m** in 2028/29.  Chart 11 showed the forecast growth in the cost of excluded pupils accessing IPES provision.  Charts 12 and 13 showed the increasing levels of fixed term exclusion and permanent exclusions which are contributing to the increase in the cost of pupils accessing IPES provision.  **Financial Implications**  Table 7 showed the forecast High Needs Block position based on the forecast increase in demand, price and the increasing complexity of pupils. We are looking at potentially and overspend of **£2m** deficit after opening with a balance of **(£11.6m surplus),** up to **£353m** by 2028/29.  The Authority is proposing the following actions to reduce the deficit in 2025/26:   * To transfer 1% **(c.£11.6m)** from the Schools Block to the High Needs Block. * To transfer **£1m** from the Central School Services Block surplus balance to the High Needs Block. * To move all expenditure on the Early Years Inclusion Fund from the High Needs Block to the Early Years Block from 2024/25 ongoing. This will not impact on current funding rates, but may impact on funding rates increasing in line with the national increase in future years.   Table 8 represented the forecast High Needs Block financial position including the above proposals. We are looking at a **£24.2m** overspend in 2025/26.  The impact on the transfer not being supported is:   * The Secretary of State will decide as the transfer is above the level Schools Forum can approve. * DfE could invoke the Safety Valve which will require significant cuts and annual School Block transfers. It is common for a 1.5% transfer for Local Authorities with the highest deficit. * The Authority will need to reduce expenditure by reviewing independent school placements. Top-up Funding and Individual Packages of Education Support.   Table 9 showed the level of school balances at the end of 2023/24 financial year for maintained schools and the 2023/24 academic year for academies. The overall level of school balances increased by **£4.2m** between 2022/23 and 2023/24 and have increased by **£55.5m** since 2019/2000, which represents a 43.2% increase.  **How would the Transfer be utilised?**  The Authority will continue to invest **£3.5m** in early intervention strategies through the continuation of the inclusion strategy and outreach.  **Action taken to Address the Overspend**  Schools Forum approved funding for the Inclusion Framework which enables schools to access pre-statutory funding to develop inclusive practice. An update report will be presented to Schools Forum in November.  One example is a secondary school that was awarded **£130,000** to develop inclusive practice within the school. The school has identified that this has prevented **£143,000** additional cost to the High Needs Block to date. This is due to the school being able to meet pupil needs without an EHCP and so this is an annual saving to the top-up funding budget.  Schools Forum has also agreed funding for Outreach. The outreach is focused on meeting needs in mainstream both at SEN Support and at EHCP to prevent escalation to special school; the outreach from PRUs is focused on reducing permanent exclusions.  Table 10 showed that the Authority has invested significant funding in the system. The Authority was due to meet with the ESFA on 10th September 2024 to discuss the DSG Management Plan but also to discuss how the ESFA can support in managing the price and volume demand within the grant allocation. The Authority will seek more information about the Delivering Better Value and Safety Valve Schemes. A transfer is required from the Schools Block to the High Needs Block for all approved safety valve local authorities.  **SEND Strategy**  Our focus is on ensuring that we continue to invest in the SEN system to enable a systematic and long-term sustainability rather than making cuts to individual budgets which may have adverse impacts.  We have invested in a SEN workforce via ECC funding and HNB which allows strategic as well as operational support to schools. We have strong special schools but increased pressure on their physical capacity is making that more challenging.  Our sufficiency plan, due for publication in autumn 2024, will set out our intention to manage special school growth by reducing the numbers of children and young people with lower levels of need over time as we work with mainstream schools to be better able to manage their needs locally. This will enable us to accommodate more children and young people with higher levels of need in special schools.  **Section 11 looked at the timeline of setting school budgets.**  Schools Forum, today, are asked to approve the consultation with schools and to support the request for a 1% transfer.  The consultation will be held with schools between Monday, 30th September and Sunday, 27th October 2024.  Schools Forum will be presented with the results of the consultation and the outcome of the discussion on 5th November 2024 along with the recommendations of the FRG and HNRG. Schools Forum will then decide whether or not to support the 1% transfer.  At the end of November, we will bring to the Schools Forum meeting the outcome of the consultation, the settlement and the outcome of the joint meeting.  Obviously, the 1% transfer is the Secretary of State’s decision.  The DSG final settlement is expected week commencing 9th December 2024.  The normal timetable of financial proposals will be brought to the Schools Forum meeting in January 2025.  Table 11 showed the **estimated** basic entitlement values for 2024/25 and a re-based 2024/25 AWPU for the Teachers’ Pay Grant (TPG) and the Teachers’ Pension Employer Contribution Grant (TPECG). The 2024/25 allocation is increased by an estimated 1.5% to calculate estimated values for 2025/26. The Schools Core Budget Grant that has been announced for the Teachers’ pay increase from September 2024 will also be included in DSG for 2025/26 but is not included in these figures as the allocations have not been announced.  Annex A showed the Consultation.  **Questions**  SB asked, does the percentage have to be the same for all categories of schools?  YSW stated, yes. The DfE has spoken about options under a direct NFF, where LAs will be able to choose how the transfer is allocated between phases and types of schools.  SB, but at the moment, it has to be the same for everyone.  YSW responded, yes, but the primary / secondary funding differential will come into play that will allocate more to secondary on a per pupil basis.  PL referred to Table 9 which showed exclusions increasing, e.g. That first year shown was during Covid, and we knew that. That projection looks more gloomier, although exclusions have increased. Concern we are looking at 5-year development plan. Also, these projections, is there any impact to mitigate problems in secondary schools, but escalation to more complex problems, like SEND tribunals etc. There is no magic money tree. But actually, we are looking at the schools budget. We are masking the problem and showing re-purposing. Our High Needs Block is ok, and it is not ok. We should give a stronger message, and argue Essex has done well because we have actually had our own version of austerity, and I hear from primary and secondary schools are scraping by in terms of special educational needs. We are propping up the system for the decisions we are making.  JF confirmed all those diagrams shown that we have a good figure in the one about what we are anticipating for next year. Those figures would go down because of mitigations identified in Tables 9 and 10. You plan on the worst case scenario. But the difficulty is we are always in a system where it is a needs driven system. JF was also very aware of differentials of balances and lived reality compared to what reports actually say.  JF stated, politically, at the moment we have created within the education system a rod for our own backs, because schools are sitting on huge balances than any other sector in Government and it is difficult to justify insufficient funding. There is a political need to highlight and report from ISOS to identify the brokenness of the system, not funding needs. For example, when age range was extended to 25, post 16 sector had insufficient funding.  But it is whatever we are doing, we are highlighting there is insufficient money within the system. We need to make sure the Government system is working. There should not need to be transfer to the High Needs Block. A deficit of **£29m** is a considerable charge to the Schools Budget for next year because we will have to pay interest on the deficit. JF was not sure, when we do not know the political travel, but to protect ourselves as best we can. The Schools Block **£24m** deficit for next year, we have to make sure the school intervention has to work. We are trying to be ahead of the curve as JF mentioned.  PL stated, we know for example, you have some schools in MATs which have no surpluses, but there is a huge amount of money sitting in the system. Of course, there are schools with balances. One of the reasons academies are told, you have to keep a certain amount of money. The whole system is a mess. What PL hears and headteachers report is that on the ground we are making the problem worse because we are taking staff out of schools to support schools. What is happening on the ground in schools and we are privileged in this group, and understand what is happening financially.  SR asked about clarifying “capping.” Is it on basic entitlement or all elements.  YSW confirmed it is all elements.  SR asked if did agree and funding no longer needed and we put in, yes, we would cap it, what happens if we do not need it after funding goes through?  SR stated not all academies are sitting on money and more work needs to be done to address this at Government level. We are making very difficult decisions. YSW stated that if there is no need to use capping the option will be removed.  JG echoed this vociferously. Need to consider implication of getting money from schools. We are hard pressed with budgets. Essex Schools have already survived a pandemic. Many of us just survived. Then there was the RAAC crisis, and we have been disproportionate with this. JG spoke about support staff pay increase, and then the teachers’ pay increase and another shortfall and another deficit to find this year. We are looking at schools to prop up the High Needs budget. JG wanted to know if you have looked at the non-statutory work. We have no other support. You mentioned a school had been awarded **£130,000** for the framework, an unusual situation. Not saving money for the schools. We need to look for doing this. Last time, I had to cull a third of my support staff. The various strategies like inclusion that we have to operate in schools, they are strategies that will be cut. Those jobs will be cut if this happens, looking at those figures. The impact on secondary schools will be devastating and that will be passed on to our children in schools.  RH commented if we ceased the inclusion framework, we would save £1m and outreach save **£2m**, but we are still looking at a huge deficit. Other decisions considered what Norfolk is doing and the table at the start of the paper that the vast majority of HNB goes into mainstream schools, special schools, and independent schools. RH understood the impact on schools but the impact would be on special needs provision in schools if cut. The other factor to consider would need full consultation with parents of children, **£14,000** with balances and **£22,000** with SEND support to cut individual funding. There is no ideal response this year. The risk is the opportunity to look at the forecast in spend, we could spend quite easily if worked strategically. **£80m** can spend but need to have sufficiency plan. Some secondary schools needed to work in a different way and some mainstream schools to work in a different way. The need of children is much more severe than years ago. RH reported he was quite shocked in primary schools recently. Those pressures, if cut, would result in less support.  CS shared something that she would expect the Local Authority would consider. We have a small surplus to balance a 3-year budget and cannot recruit. We have reviewed. We are not investing in any short-term high yield accounts. CS stated she would expect the Local Authority to be encouraging schools, those that do have a surplus, to ensure they have high yield interest in place and call that in to use to prop up financial planning. We will invest that in supporting children. It should be pulled back into prop up financial planning. We will invest that in supporting children. It should be pulled back into the Local Authority to support for the future.  JS echoed those comments. JS also stated he did not have a pot of money that he was sitting on. We are here because there is a threat of the safety valve because we do not have one of those. We want to find a way to maintain control. Do we deserve to maintain control?  Within the last two years we have had discussion about surplus into the HNB and doing that and have been able to claw back into the HNB. Do we have the ability to do this. We have not been maintaining control. Is a safety valve the right things to do? Looking at some of the figures if included in secondary schools, 2 per secondary school across the county **£12,500** and then the AWPU claimed back. If lower down aim to get them back into the mainstream setting. We have a sufficiency plan due to come out. Inclusion framework review but not got the evidence. There are lots of unknowns.  RH explained we are as in control as we can be compared to almost every county. Essex is performing very well but the biggest difference this year is because the growth in numbers with EHCP exceeds growth in the DfE.  We took the decision to do a transfer in 2018. The decision was to reduce and save **£2½m** for the HNB. We have done as much as we possibly can in terms of EHCPs. We are pretty good at managing demand and know we are in control. Independent school costs – we work collectively with the eastern region to manage price. It is not known what the DfE will do this year.  We are in control as much as we can possibly be. We have held off a crisis and now we are in it.  JS informed from his experience the banding is lower.  RH mentioned the average banding has gone up.  HPK asked, are we doing anything?  RH explained we have a robust system for engaging. YSW’s team met regularly. This will fill a void and open up new provisions.  RH – Do I think it is a risk? It is capacity on the secondary school .  Some of previous contractors are not behaving and their costs have gone up.  We have new schools in Essex, i.e. The Greenwell Academy in Harlow, The Hawthorns School and Sir Geoff Hurst Academy, both in Chelmsford, and in Wolsey Park in Rayleigh and South Woodham Ferrers.  Shorefields have increased in numbers. Growth becomes a challenge.  We still have children in mainstream waiting for secondary places.  NS mentioned the schools hit by this are those with inclusive practice. It is not a level playing field. Schools are already at the point of meeting needs; some we will just permanently exclude which will shift the problem somewhere else.  JG asked is the EHCP growth in line with national figures?  RH informed Essex was lower but not now. It is broadly in line. From 2018 to 2028 it will have doubled.  JS asked what is the root cause and are we in control?  RH referred to the pie charts. It is the independent schools looking at 52 placements **£¼m**, and the small reductions 38 week residential, and 38 independent places **£80k, £100k, £250k**.  Many years ago, Essex was asked if this could be look at again and it was brought up at the HNB Group. Also looking at the **£4k+** children in special schools. If looking at independent 4 or 5 schools, there is a disproportionate amount being spent. At Shorefields we now have 298 children on our roll. We are trying to look at how we can grow by 10% or even by 25%. We are looking at properties owned by the Local Authority to see if we can move our sixth form there.  SR felt the overall problem is insufficient funding in the HNB, i.e., the requirement has gone up, but the funding has not.  Table 8 represented the forecast High Needs Block financial position and there was concern about the 1% transfer. We are looking at a **£78k** overall deficit.  AP stated this is only part of the mitigation. We are heading towards the Safety Valve.  PL indicated one of the groups not talked about was parents and what the parental preference would be.  DW reflected on representing primary schools. Essex plan is to increase access to EP’s. There is major concern and how we can help. Is there any mitigation? Can we shift some funding into the process?  RH responded EP is part of the strategy but is not funded from the HNB. It is funded by the Local Authority. We have had extreme difficulty in finding EPs. We have addressed to get EPs. We have a new Strategic Psychologist.  Table 10 showed the Local Authority has invested significant funding and it was noted the Assistant Education Psychologists business case is still to be approved.  RL asked, can you clarify for members at this meeting, the contributions made by health and Care. There are 80 EHCP plans.  RH stated there will be children in independent places, 52-week placements. The Health system is probably in a worse position.  RL suggested that Education is charged disproportionately for providing something other than Education from 9am-5pm.  RH responded only in 52-week placements. 38-week placements are the same as mainstream schools.  RL mentioned the Local Authority picks up the Care cost. However, AP stated we struggle with the Care costs.  JG observed about the 52-week Care, if child is taken into Care and that provision is satisfied, then Education funds the 38 weeks.  AP confirmed the Authority would then make up the 14 days.  HL stated the third funding or 50/50 funding in some cases.  **Recommendations**:   * 2.1 The Forum noted the pressures within the High Needs Block. * 2.2 The Forum agreed the recommendation of the Finance Review Group (FRG) and the High Needs Review Group (HNRG) to support the request to transfer 1% from the Schools Block to the High Needs Block in 2025/26.   **For 7, Against 6, Abstained 7.**   * 2.3 The Forum agreed the recommendation of FRG and HNRG that **£1m** is transferred from the surplus balance of the Central School Services Block to the High Needs Block.   **For 18, Against 1, Abstained 1.**   * 2.4 The Forum agreed the recommendation of FRG and HNRG that all high needs expenditure for Early Years is moved from the High Needs Block to be funded by the Early Years Block from 2024/25 onwards.   **For 19, Against 0, Abstained 1.**     * 2.5 The Forum agreed the consultation paper at Annex A. |
| **3.** | **De-Delegation and Education Functions 2025/26 (Jeff Fair/ Yannick Stupples-Whyley)**  JF had a joint meeting and is recommending the Schools Forum agrees to the recommendations. We have discussed the purposes, and it can be seen our discussions within the meeting agenda. The Local Authority has managed to maintain any cash costs, but it is economy of scale.  YSW reported the Authority’s proposals for de-delegation and education functions for 2025/26.  Table 2 showed the Authority’s proposals for de-delegation for maintained primary schools for 2025/26 for Public Duties and showed the comparison with previous years. Public Duties are where schools can claim for employees who undertake union duties, employees who undertake magistrate duties and for employees who attend jury service. It also enables schools to receive support from the trade unions. The cost is **£1** per pupil, and it is proposed to keep it the same for 2025/26.  Table 3 showed the Authority’s proposals for de-delegation for maintained secondary schools for Public Duties for 2025/26 and showed the comparison with previous years.  **Premature Retirement Costs**  In October 2021 Schools Forum had approved to top-slice funding from the Schools Block, High Needs Block and Early Years Block to fund **£1.3m** for premature retirement costs relating to former school employees.  Table 4 showed the funding top-sliced in 2024/25 and the request for 2025/26.  **Central Services – Education Functions**  It was noted the responsibilities of services provided by the Local Authority are split between:   * Those that are for all schools, which are funded through the Central Schools Services Block, with the agreement of Schools Forum, and * Those that relate to maintained schools only, which are charged on a per pupil basis, with agreement of the maintained school members of Schools Forum.   **Central Services for all Schools**  Following the termination of the Education Services Grant (ESG), the DfE transferred **£3.1m** directly into the Central School Services Block (CSSB) to fund the statutory responsibilities that the Authority has for all schools. The Authority has maintained the amount at **£3.1m** since 2017.18, thus containing inflation. This amount is insufficient to fund the total cost of statutory services for all schools **(£3.5m),** however there is forecast headroom in the Central School Services Block so the Authority proposed to increase the contribution to **£3.3m** in 2025/26.  Table 5 showed the Authority’s proposals for splitting this out for 2025/26.  **Central Services for Maintained Schools**  Following the cessation of the Education Services Grant, the DfE changed the funding regulations to allow Local Authorities to request that the Central Services for maintained schools are funded by maintained schools.  The Authority is maintaining the overall charge at **£2.9m** but due to academy conversions in 2024/25 the per pupil charge increases by **£3.39** (6.9%). The total cost of Central Services for maintained schools is **£3.9m**, so in maintaining the overall charge at **£2.9m** the full cost is not being passed to schools.  There is an income risk to the Authority that future academisation will impact economies of scale and could cause a pressure on Education Non-SG budgets. The authority currently has 211 maintained schools (37.9%).  **Recommendations**   * 2.1 The Forum agreed the recommendation of the Finance Review Group (FRG) and High Needs Review Group (HNRG) that primary maintained members agreed the proposal for de-delegation for public duties at 4.4.   **For 4, Against 0, Abstained 0.**   * 2.2 The Forum agreed the recommendation of FRG and HNRG that the secondary maintained member agreed the proposal for de-delegation for public duties at 4.5.   **Secondary maintained member not in attendance. (Carole decided she did not want to substitute for a governor.)**   * 2.3 The Forum agreed the recommendation of FRG and HNRG that all members agreed to top-slice **£1.3m** for premature retirement costs at 4.7.   **For 20, Against 0, Abstained 0.**   * 2.4 The Forum agreed the recommendation of FRG and HNRG that all members agreed the proposals for education functions funded by the ongoing responsibilities element of the Central School Services Block at 5.3; and   **For 20, Against 0, Abstained 0.**   * 2.5 The Forum agreed the recommendation of FRG and HNRG that all maintained members agreed the proposals for education functions to be funded by maintained schools at 5.4.   **For 6, Against 0, Abstained 0.** |
| **4.** | **Scheme for Financing Schools 2025/26 (Yannick Stupples-Whyley)**  YSW reported to the Forum the proposed changes to the Scheme for Financing Schools for 2025/26 to bring the Essex Scheme in line with the DfE’s updated Scheme.  The DfE has made a number of changes, however Local Authorities are engaging to replicate the scheme.  The Local Authorities are required to publish a scheme for financing schools, setting out the financial relationship between them and the schools they maintain.  The Secretary of State may be a direction review the whole or any part of the scheme from such date as may be specified in the direction.  The proposed changes for 2025.26 are outlined below:  The date of the relevant Schools and Early Years Finance (England) Regulations is updated to 2025.  The 1996 Act is change to the Education Act 1996 to match the DfE updated Scheme.  The 2002 Act is change to the Education Act 2002 to match the DfE updated Scheme.  **Funding Framework**  The section on amending the Scheme has been updated to the revised wording in the DfE updated Scheme.  The wording for Section 50 allowing governing bodies to spend the budget share as they see fit is updated to the revised wording within the DfE Scheme.  **Borrowing By School**  Introduction of IFRS16 which removed the distinction between operating and finance leases and all leases are now classed as borrowing.  **Action: YSW, PL had asked can you check what committed for this?**  The Secretary of State has agreed to provide blanket consent to a range of the most common leasing activities as set out in the IFRS16 Maintained Schools Finance Lease Class Consent 2024. The type of leases allowed are listed for schools.  **Teachers Pensions**  The date of the Teachers’ Pension Regulations is updated.  **Annex A**  All the proposed changes are updating the Scheme based on DfE changes. As there are no Authority proposed changes, it was proposed that the changes are approved by maintained school members without the need to consult with maintained schools.  **Questions**  CS asked is the Local Authority considered in line with the political side.  YSW replied, we do have the ability to clawback balances, however due to the unlevel playing field with academies, we do not do it. We do know how much interest is included in school balances. YSW stated we cannot be sure how many schools use high interest accounts.  SB informed we have tried to do this, but we could not do that.  But it has to be all schools including academies, but you cannot do that with academies.  AP agreed we could bring a decision back here; however, the feeling is this would not be supported.  JF proposed it goes to the Finance Review Group to survey the ability to bring up a proposal back in the next cycle whether to enable the interest to be identified and clawed back into the Local Authority.  JG stated it is within the Local Authority’s control to clawback from maintained schools. In discussions around that if we have schools sitting on really large funds over 20% of their budget carried forward, is there an obligation we need to say something has gone wrong with funding here and what is happening?  CS indicated schools could prevail. If it is invested but the school does not need it, would that school not be duty bound and not entitled?  JG added but looking at the potential to clawback.  JF confirmed as proposed it goes to the Finance Review Group and we will bring it to the Forum after the discussion.  **Recommendation**:   * Maintained school members agreed the changes to the Scheme for Financing Schools for 2025/26 listed at 4.4 to 4.13.   **For 6, Against 0, Abstained 0.** |
| **5.** | **Any other business, feedback from schools through Associations and from Schools Forum representatives on other Bodies.**  **ASHE**  CH reported the beginning of the school year had brought problems as discussed earlier on in the meeting. People are up against it in terms of budgets and the effects across the county. Specific focus on SEND and inclusion. There are a number of things previously reported which are exercising schools. There have been new regulations brought in on attendance focus for schools across the county and we are getting our heads around the work of attendance officer and the support needed. We are trying to support as best we can.  **EPHA**  PHK mentioned the school budget surplus – 3year deficit.  The start of the term has proved exceptionally busy for primary schools, including getting to grips with a number of changes, to performance management and pay, attendance changes, and a new Ofsted handbook and regime. The delayed start to inspections has been a welcome break for schools, and hopefully the revised arrangements, such as only notifying schools of an inspection on a Monday (in general) will bring some respite to headteachers.  Feedback from headteachers suggests though, that the introduction of the new statutory Working Together to Improve Attendance guidance has not reduced the number of term time holiday requires and schools are really struggling to manage the new expectations of greater support and focus on attendance. Whilst the new templates are forms development by the Local Authority are generally welcomed, it is unrealistic to expect schools to follow all of the suggested strategies; a good example of this is the Essex Pupil Return to School Check In Form, which advises a meeting with every child/ young person returning to school after just one day’s absence. The form is quite lengthy and it is suggested that this is then shared with multiple other staff members: the workload involved with this is simply impossible for schools and is causing stress and anxiety. Other examples include the leave of absence request form, which now asks for a huge amount of information – parents are simply failing to use the form or ignoring much of the information.  Other changes to the system have added to headteacher and school staff workloads: one example, the referral process for ESNEFT Community Paediatrics, is changing from 30th September 2024, where all referrals to the Neurodevelopmental Disorder (NDD) pathway will need to be sent via the child’s school, unless not in education.  Headteachers and school staff can no longer phone various teams for instant advice, such as the Attendance Specialists, who will now only answer communications by email.  The communication and funding in relation to SEND continues to be a problem – there is a real frustration that funding that has been promised I not being distributed swiftly.  We do recognise that all of the services are over-stretched, but schools are finding the increased workload when trying access further support for their vulnerable pupils, extremely challenging.  It was noted the DfE had announced on 24th September 2024 about the early adopters free breakfast club pilot for 750 schools for the summer term.  **ESSET**  JG spoke about primary school outreach leads and there will be one in each quadrant, for example, West are looking after Brentwood. JG was really excited about the outreach. JG is going to EPHA meetings as well. Regarding attendance, we have met with attendance officers. We keep two registers, one of which is the official one. We have talked through each case which is proving quite difficult to administer. The admin time is taken away from the children.  **PRU’s**  MSt felt there were similar challenges with attendance, and we all share these challenges. West is currently experiencing Ofsted. MSt has met with the Local Authority and are looking at funding a level agreement. MSt had a meeting with CH are we are looking at our offering and ensuring 25 mainstream provision and seeing our service does implement behaviour, and children back into mainstream.  Outreach is up and running in the South of the county, working with 30 schools and running education programmes with staff.  **Early Years**  No report.  **ESGA**  CS reported about the administrative burden on governors to do more and society is changing. We are not getting the same people through the door. It is a real challenge. There is a recruitment platform, but it is even harder to get people.  RB informed we are planning for the conference for next year.  **Unions**  MS informed if finances are not in schools, this will impact on our members. Teaching staff and support staff could go through another restructure with redundancies in place. MS stated she has been working in education for 54 years and this current situation is grim. The other concern is changes to the School Meals Service and raise that as a concern but will wait for what the feedback is in the November meeting.  JF reflected from the unions that members are struggling with attendance and requirements of the DfE. We are dealing with a greater number of members who are at this stage under much pressure which is unusual. There is concern long-term that the mis-match in what we see on accounts and on the ground where there is not much money. Teachers are not being paid at the right level and subject to turnover. After 3 or 4 years, teachers will leave the profession. It is like the health service, there would be no staffing crisis, but hundreds of teachers do not want to go back into the system.  **Church Reps**  No report.  **High Needs Review Group** – Agenda Item 2 and Minutes 5a.  **Finance Review Group** – Agenda Items2, 3. Minutes at Agenda Item 5a – on Page 34, RL drew attention to an error to be corrected. On paragraph starting with RL added, second sentence ………… omit “not” to read:  The consultation needs to add the risk if the transfer does happen.  **Action: YSW.**  **Early Years Sub-Group** – Minutes not available.  PL was concerned about representative around childcare funding. Whilst there are around 180 schools either providing morning or afternoon. PL noted quite a few have not got any childcare. Only 12 primary schools have applied for that funding.  PL has asked to meet with Carolyn Terry to discuss funding. There is £6.9m funding and that will be clawed back.  Feedback PL gets from headteachers and schools and understand the DfE criteria. PL added it is almost impossible to meet criteria and the business cuts required is enormous. Rural primary schools do not have capacity to put together that funding objective. Is there any way the Local Authority can support that application process so that schools can apply for that funding?  This was also echoed by DW.  **Any Other Business**  There was one item, RB an CK had received a letter from Saffron Walden Academy Trust concerned that the minimum per pupil level was insufficient to maintain a basic education offer to children. The MPPL is **£4,610** per pupil for Primary and **£5,995** per pupil at secondary. The Trust claimed some schools receive in excess of **£8,000** per pupil. The Trust requested a **£200** increase per pupil in the MPPL.  YSW responded that it is generally smaller schools with a higher per pupil allocation as this is skewed by the lump sum. The MPPL is a national figure set by the DfE that must be implemented by each local authority. The Schools NFF targets funding at deprivation and therefore schools in affluent areas will generally be protected by MPPL. Essex is unable to increase the amount.  PL spoke about Uttlesford in Essex where there is a differential because of depravation. It does not mean they do not have pressures on their schools. We can argue in the least deprived areas there is less support in secondary schools and subject provision. Funding is as it should be. As an Authority we should ensure lease deprived areas are supported. |
| **6.** | **Minutes of 10th July 2024**  One Amendment on page 55, second paragraph to read:  “SR suggested if you included 16-19 funding within the percentage income, it would come down but nothing to change the overall picture.”  **Action: YSW**  The minutes were accepted as a true record of the meeting held. |
| **7.** | **Minutes Action Log (Yannick Stupples-Whyley)**  YSW gave an update and this was accepted. |
| **8.** | **Confidential Minutes of 10 July 2024**  These minutes were approved by all unanimously. |
| **9.** | **Schools Budget and Education Functions Update Q2 2024/25 (Yannick Stupples-Whyley)**  YSW updated the Forum on the forecast outturn position for the year ended 31st March 2024 for both the Schools Budget and Education Functions which was set out in Annex A. The total Dedicated Schools Grant (DSG) was expected to be received for 2024/25 after academy recoupment is **£663.6m**.  The DSG forecast overspend for 2024/25 is **£23.6m**. Table 2 showed the overall forecast DSG balance at 31st March 2025.  The significant variations contributing to the outturn position are:  **Schools Block - £363,000 overspend.**  **Central School Services Block - £322,000 underspend.**  **High Needs Block - £15.0m overspend.**  **Early Years Block - £8.6m overspend.**  In July, the DfE announced the final allocation for 2023/24 which resulted in an anticipated clawback of **£8.5m** as the number of children taking up the free entitlement was lower than the DfE forecast. This will be fully funded by the surplus balance in the Early Years Block.  The Authority has still not received a response from the DfE regarding the overpayment in 2022/23. Therefore **£4.4m** is still at risk of being clawed back. This will also be funded from the Early Years surplus balance.  Table 3 showed the funding Schools Forum agreed at the meeting of 27th September 2023 for the statutory duties the Authority holds for all schools for 2024/25.  Table 4 showed the funding maintained school members agreed at the meeting of 27th September 2023, to de-delegate **£48.59** per pupil to fund the statutory duties the Authority holds for maintained schools for 2024/25.  Table 5 showed the forecast outturn position for Education Functions 2024/25 which is a **£50,000** underspend.  Annex A was the Schools Budget Half-Year Update for 2024/25.  **Question**  CS asked is there any pay progression?  YSW was not aware of this yet. Once we have that information, we will bring it to a future meeting.  **Recommendation**  The Forum noted the forecast outturn position for the year ended 31st March 2024. |
| **10.** | **Forward Plan (Yannick Stupples-Whyley)**  YSW read this out and confirmed the dates of future meetings.  **Recommendations**   * The Forum noted the dates of future meetings. * The additional items as proposed by Schools Forum were included in the Forward Plan. |
| **11.** | **Chair’s Closing Comments (Ruth Bird)**  Cllr Ball stated we are in uncertain times. With the new Government we have duly written and lobbied accordingly. We have also had meetings with the new Members of Parliament with issues about SEND. It is disappointing with the last Government. We are hopeful but the decisions rely on The Treasury. We are doing all we can across all parties to highlight the system.  RB thanked everyone for attending. See you on Teams in November. |
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|  | **Next Meeting**  **Wednesday, 27th November 2024 at 8.30 a.m. – Microsoft Teams** |