

Minutes of Schools Forum Meeting 11th January 2023 at 2.30 pm

<i>Members</i>	<i>Position</i>	<i>Voting</i>	<i>Attendance</i>
Vacancy	Primary Maintained Headteacher	Voting	In process
Karen Joy	Special Maintained Headteacher	Voting	Absent
Victoria Richmond	Primary Academy Headteacher	Voting	Absent
Paul Jackson	Secondary Academy Headteacher	Voting	Present
Fiona May	Special/PRU Academy Headteacher	Voting	Absent
Kyle Taylor	CFO Multi Academy Trust	Voting	Present
Richard Warnham	Governor Primary Maintained	Voting	Present
Barbara Fincham	Governor Primary Academy	Voting	Present
Clive Mailing (Vice-Chair)	Governor Secondary Maintained	Voting	Present
Peter Martin (Chair)	Governor Secondary Academy	Voting	Apologies
Justin Stuart	Governor Special and PRU	Voting	Present
Hannah Cartwright	Early Years Representative	Non-voting	Absent
Simon Cook	16-19 Provider Representative	Non-voting	Absent
Hillary Sanders	C of E Diocese Representative	Voting	Present
Clare Redmond	RC Diocese Representative	Voting	Present
Vacancy	Teaching Unions Representative	Non-voting	n/a
Stuart Gardner	CEO Multi Academy Trust	Voting	Present
Vacancy	SPI over 19 Provisions	Non-voting	n/a
<i>In Attendance</i>			
Celia Buxton	Assistant Director of Education and SEND LA		
Maria Beaney	Finance Business Partner LA		
Sarah Phillipson	Governance Professional		
Leanne Farach	Director of Children Services		

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DISCUSSION:

1. Welcome, attendance and apologies:

As noted above.

Apologies from Peter Martin.

Clive Mailing Chaired the meeting.

The meeting was quorate.

2. Declarations of Interest:

No changes to the previously disclosed Declaration of Interests and any matters relevant to the agenda.

3. Minutes from the previous meeting on 07th December 2022:

Accuracy:

The minutes were agreed upon as an accurate representation of the meeting.

Matters were Arising:

None

4. 2022-23 Revised Dedicated Schools Grant Allocation - Maria Beaney:

MB advised the Schools forum that the Education and Skills Funding Agency (ESFA) requires all Local Authorities (LA) to provide Information to its Schools forum about its Dedicated Schools Grant (DSG) regularly.

The DSG consists of four notional funding blocks:

- 1) Schools Block - Funding for both maintained schools and academies. At least 99.5% must be passported to schools.
- 2) High Needs Block - Funding special education needs and alternative provision.
- 3) Early Years Block - Funding for nursery and early years providers.
- 4) Central Services School Block - Funding to support the statutory functions of the Local Authority for both maintained schools and academies.

The Local Authority uses its DSG grant to fund educational activities across Medway through direct payments to schools/academies and other educational providers or, if approved, centrally retained for education purposes.

The Local Authority's retained DSG allocation is adjusted several times throughout the year when maintained schools convert to academies.

Current 2022 - 2023 DSG Allocation:

The table below outlines Medway's DSG allocation by the ESFA on 17th November 2022.

Table 1 - 2022-2023 DSG Allocation after academy deductions:

	Allocation £
Schools Block	41,923,583
CSSB	958,342

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High Needs Block	38,233,408
Early Years Block	18,412,071
Total	99,527,404

All funding is allocated on a per-pupil basis, and for 2022-23 Medway's allocations are as follows:

- School Block - Primary £4,495.42
- School Block - Secondary £5,923.23
- High Needs Block - £4,665.13
- Medway is a net exporter of education placements by 130 children.

5. 2023-24 Initial Dedicated Schools Grant Allocation - Maria Beaney: **2023 - 2023: 4 DSG Allocation**

MB referred to the following items within her report:

The tables below outline Medway's initial DSG allocation as notified by the ESFA on 16 December 2022.

Table 2 - 2023-2024 DSG allocation before and after the academy recoupment:

	Before Academy Recoupment £	After Academy Recoupment £
Schools Block	235,436,725	233,694,808
CSSB	1,033,392	1,033,392
High Needs Block	56,669,839	43,175,688
Early Years Block	19,274,498	19,274,498
Total	312,414,454	297,178,386

Table 3 - 2023-2024 school block allocation breakdown:

	School Block Breakdown £
Primary & Secondary funding	231,340,168
Premises funding	1,925,427
Growth funding	2,171,129
Total	235,436,724

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Table 4 - 2023 DSG allocation comparison to the 2022 allocation:

	2022-23 School Block Breakdown £	2023-24 School Block Breakdown £	Percentage Increase
Primary & Secondary funding	214,435,627	231,340,168	7.88%
Premises funding	3,674,083	1,925,427	-47.59%
Growth funding	2,136,073	2,171,129	1.64%
Total	220,245,783	235,436,724	6.90%

All funding is allocated on a per-pupil basis, and for 2023-24 Medway's allocations are as follows:

- School Block - Primary £4,715.89 an increase of £220.47 or 4.9% on last year.
- School Block - Secondary £6,220.61 an increase of £297.38 or 5% on last year.
- High Needs Block - £4,665.18 an increase of 5p on last year.

Decision - The Schools Forum Members noted this report.

6. Final 2023-24 Centrally Retained & De-delegated Budgets - Maria Beaney:

MB explained that the Schools Block Dedicated Schools Grant (DSG) funds budgets delegated to schools/academies (via the funding formula) and funding retained by the Local Authority to support schools.

From April 2018, the DSG was split into four blocks of funding, one of which is the LA's central services school block (CSSB) funding which requires ratification and approval by the Schools forum.

Local Authority's can only retain funds for the provision of central education services in circumstances which have been set by the Department for Education (DFE); these are known as Centrally Retained Budgets and fall into three headings;

- a) Statutory Functions of the Local Authority
- b) Growth Fund
- c) De-delegated Services

Each year the Schools forum is required to approve the centrally retained budgets and the CSSB funding.

Statutory Functions of the Local Authority:

MB noted that the CSSB DSG funding is intended to provide funding for Local Authority's to continue to operate and run their statutory functions. For 2023-24 the DSG allocation awarded is £1,033,392 (22/23 £958,342).

Any underspends at the year-end will be carried forward to fund the statutory functions of the Local Authority in 2024-2025.

Q - Top line C&A directorate Management Team cost was not there before; what is this?

A - It was there but not identifiable before, as it was included within another cost centre.

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Q- What percentage increase are the total services from last year?

A - It is 30%.

Q - This is a significant increase compared to what the schools are getting?

A - The allocation is awarded to the Local Authority, and we have asked the EFSA for this increase. It is not coming from any school grants or budgets.

Q - Is any money taken in error being used to do this?

A - No, it is a separate budget and does not affect the School's budget.

Decision - The Schools forum voted and agreed to approve the LA's CSSB funding of £1,033,392 for 2023-24. All School's School forum members can vote.

Growth Funding Budget:

The growth funding budget was discussed in more detail as part of another item on this agenda.

De-Delegated Services:

MB explained that a short list of budgets currently held centrally must be delegated to schools/academies through the funding formula in 2023-24. However, the Local Authority can ask for the Schools forum's approval to be 'de-delegated' for these funds to be pooled centrally and managed by the Local Authority.

Any underspends at year-end will be carried forward to de-delegations or the Schools Block of the Dedicated Schools Grant.

De-delegation applies only to mainstream maintained schools (not academies, special schools or PRUs), as only these schools would benefit from the services that are funded centrally. It is, however, possible for academies, special schools and PRUs to buy into these services as part of the Local Authority's 'buy-back.'

Trade Union Facilities:

MB stated that the Schools forum are asked to approve a de-delegation of £1.59 per pupil from both primary and secondary schools, which enables the teaching unions to represent their members in disciplinary, grievance, and complaints hearings and to respond to Local Authority consultations on policies and procedures which affect teaching staff in Medway schools.

The budget is used to reimburse schools which employ the union reps, so the schools concerned do not bear the cost of covering their absence. Giving teachers access to local expert trade union support can benefit both schools and Local Authority's in terms of improved employee relations in schools.

This service cost is the same for both academies and maintained schools but has been pro-rated to reflect the different financial years for academies and maintained schools.

Decision - VOTE: The Schools forum eligible members voted and approved the 2023-24 to de-delegate £1.59 per pupil from primary and secondary schools.

Central Services:

Pre-2019-20, the Local Authority received an education service grant which paid for the Local Authority's statutory services regarding schools. In 2017-18 this grant was rolled into the schools block DSG. At their meeting in October 2018, the Schools forum members provisionally agreed to de-delate £66 per pupil for both primary and secondary schools again in 2022-23. The Council requests to increase this funding to £84 and to agree to the de-delegation in 2023-24.

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Table 2 below shows how this funding will be spent.

Table 2 - Schools Top Slicing:

Responsibilities for maintained schools	Total Budget 2023-24 £	2023-24 School Contribution %	2023-24 Schools Contribution £
Functions relating to LA pensions: a) administration of teachers' pensions , b) Retrospective membership of pension schemes. * c) Dismissal or premature retirement* * when costs cannot be charged to the School directly.	635,435	46%	291,762
General Landlord Duties	259,996	10%	26,383
National curriculum assessments and virtual head teacher.	100,000	100%	100,000
School improvement - Monitoring	191,762	100%	191,762
School Improvement - Recovery Plans	135,550	100%	135,550
Contingency	1	100%	1
Total	£1,322,744	56%	£745,458

23/24 Budgets are provisional until agreed by the Council in February.

Decision - The Schools forum eligible members voted and approved the 2023-24 to de-delegate £84 per pupil from primary and secondary schools.

Growth Fund Budgets 2023-2024:

MB advised the Schools forum that from April 2018, the DSG was split into four blocks of funding, one of which is the Local Authority's central services school block (CSSB) funding which requires ratification and approval by the Schools forum.

Local Authority's can only retain funds for the provision of central education services in circumstances which have been set by the Department for Education (DFE); these are known as Centrally Retained Budgets and fall into three headings;

- d) Statutory Functions of the Local Authority
- e) Growth Fund
- f) De-delegated Services

Each year the Schools forum is required to approve the growth fund budgets. The Schools forum has previously decided that the following support (see below) should be given to schools/academies with PAN increases to allow the PAN changes to be embedded through the school/academy funding system.

- Infant 3 years maximum support
- Junior 4 years maximum support
- Primary 7 years maximum support
- Secondary 5 years' maximum support

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This support will cease as soon as capacity is reached or if a change is made to the original PAN or PAN reduction.

Growth Funding and Pupil Number Variations:

MB outlined to the Schools forum that the Permanent PAN increases must be funded via the Funding Formula and not through the growth fund and the centrally retained funds held by the Local Authority. This means the Local Authority require Schools forum approval to adjust the school/academy pupil on roll number, used in the Funding Formula on all funding factors and not just on the Basic Entitlement (AWPU).

Estimated pupil numbers have been used for the new PAN increases and have also been weighted to take account of the different School and academy funding years.

- a) 7/12ths have been used for maintained schools - i.e., September 23 - March 24
- b) 7/12ths have been used for academies - i.e., September 22 - March 24
- c) The ESFA will fund 5/12ths for academies under point b - i.e., April 24 - August 24.
- d) £6,000 per new class for the first year of opening.

Detail tables were shared with the Schools forum members outlining the following areas:

- On-going Identified School PAN Increase
- New School Places from September 2023
- Newly unspecified school places
- New bulge classes for the 2023 year only

Schools in Financial difficulty due to Pan size of class management:

In 2018-19 Medway created Schools In Financial Difficulty due to PAN Class Size Policy, which has been revised several times since its introduction. This policy is known as the small class size policy.

Schools are expected to submit a business case for approval by the Schools forum in November so it can be discussed at the January Schools forum meeting with funding starting from September. I.e., submit a business case in November 2022, Schools forum approval in January 2023 with funding to start from September 2023. Where business cases are rejected, schools will be told why. The funding set aside for this scheme is £350,000.

If the Schools forum members approve all the actions outlined above, the 2023-24 growth fund budget will be £552,451 compared to the £1,969,700 allocated in 2022-23.

Action for the Schools forum:

- a) To approve the ongoing PAN commitments.
- b) To approve the new specified school PAN increase.
- c) To approve the 1 newly unspecified school PAN increase.
- d) To approve the new bulge class PAN increase.
- e) To ratify the pre-approved business cases.
- f) To approve the contingency budget to fund the SIFD business cases not yet submitted or pre-approved.
- g) To ratify the Growth fund budget of £552,451 for 2023-24.

Decision - Schools forum members voted, and the majority agreed to approve the ongoing PAN commitments as above. One School forum member voted against it.

Q - I thought Rochester Riverside had a PAN of 60?

A - The Local Authority are in discussions with the DfE as there is no need in the area for a PAN of 60 and have asked for this to be maintained at 30, growing to 60 over time.

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Q - How many do they have in the current reception class?

A - They have less than 30.

Q - I thought Greenvale was moving to 60.

A - Yes, they are. This is for September 2023.

Q - The government gave £2 million for growth funding; how much more is this costing us?

A - More than £700k over this. It comes from the Schools block allocation, and we take a percentage from each maintained School. It is £13k from each School; we may get it back next year, but not necessarily.

Q - In table 1, Rochester Riverside appears twice, so could it be opening up two classes?

A - The first is for September 2023, and the other is for September 2022,

Q - Are they not funded for the current year?

A - They are funded up front by the ESFA, but the EFSA then take this back from Medway LA.

Q - Newly unspecified school spaces; is this secondary or primary?

A - It is secondary.

Q - If we are giving Greenvale the additional places, have we looked at the other schools in the area to take these children?

A - Greenvale is going from a two-form infant to a 1-form primary to make it more sustainable. We know that there is a deficit for primary pupils coming in, and this decision has already been made.

Q - How many children are going into year 3?

A - They will take 30 pupils into year 3, and the other children will attend Phoenix.

A Schools forum member noted it was key for the members to be aware of the difficulties that the Local Authority's are facing.

Q - For schools in financial difficulty, you only look at year groups.

When does that policy come up, as the budget may need to allow for this?

A - Between now and May 2023, it goes for a consultation with all schools, HTs and CEOs.

Q - If the consultation asked to alter the policy, would we be able to afford this?

A - The funding would have to allow for additional costs if they come through.

Q - What is the process for altering the policy?

A - We have to consult with schools first and then come to the Schools forum with the draft, and agree on the policy change.

Q - You have set aside £350k. Is this because we already know who is applying?

A - We have approved two and only received two. I would have expected to receive more which is why we have created the additional £350,000.

Q - Will they be in next year's pots?

A - They are academies and would look to their 2023-24 academic year, which is our 2023-24 funding year.

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Q - In terms of transparency, why do you not notify the schools if they are entitled to funding?

A - When we get the pupil data, we do contact the schools to ask them to apply; due to the timing LAG.

CB noted that the Local Authority does not have a mailing list for CFOs, and all Information goes to the CEO or Headteachers.

7. Funding Support Business Cases - Standard Item:

None

8. 2023-24 Final Schools and Academy Funding Formula - Maria Beaney:

MB advised that at previous School forum meetings and previous papers on this agenda, Members discussed and agreed on the following:

- To use a local funding formula which is moving towards the NFF
- The 9 factors to be included in Medway's local funding formula
- To continue to use the Sparsity tapering and lump sum method
- To use government minimum funding guarantees
- A 0.5% year-on-year baseline per pupil increase
- Primary Schools will receive £4,405 per pupil and £5,715 for Secondary Schools

Final 2023-24 Schools and Academies Funding Formula:

In the final 2023-24 schools and academies funding formula, funding factors remain the same as the provisional formula.

The funding unit costs remain the same as the provisional formulas except for the lump sum, which has increased to £115,000 but could increase to £117,000 considering rounding errors.

The lump sum is the only funding factor not set at the national funding formula level. The Authority would need an additional £1.248m of grant to match the national level of £128,000.

Under this formula, there will be 90 schools that will gain funding and 4 (17 last year) schools that will lose funding:

- All 4 schools that have lost funding, have seen a reduction in pupil numbers. The budget reductions range from a reduction of £6,721 (24 pupils) to £87,250 (39 pupils)
- 28 schools have gained funding but lost pupils
- All schools have seen an increase in the average funding on a per-pupil basis

2023-24 Schools Block Dedicated Schools Grant (SB DSG)

The Funding Formula is used to distribute the Schools Block element of the DSG to all mainstream schools and academies fairly and transparently.

The total SB allocation available for distribution after allowable deductions is £234,884,274 (£216,757,082 in 2022/23, an increase of 8.3%), calculated as follows;

Initial Allocation Schools Block	£ 235,436,725
Less: 2023-24 Growth Fund	£ 552,451
Total for Allocation in Funding Formula	£ 234,884,274

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Table 1 below shows the total funding allocated for each funding factor in 2023-24 and 2022-23 for comparison:

<u>Funding Factor</u>	<u>2022-23 Allocation £m</u>	<u>2022-23 Percentage</u>	<u>2023-24 Allocation £m</u>	<u>2023-24 Percentage</u>
Basic Entitlement - Primary	80.409	37.09%	86.096	36.67%
Basic Entitlement - Secondary	84.423	38.95%	92.045	39.20%
Deprivation	21.369	9.86%	24.264	10.33%
Prior Attainment	13.362	6.16%	14.408	6.14%
EAL	1.604	0.74%	1.919	0.82%
Mobility	0.509	0.23%	0.620	0.26%
Lump Sum	7.802	3.60%	11.040	4.70%
Split Sites	0.124	0.06%	0.133	0.06%
Sparsity	0	0.00%	0	0.00%
Rates	1.700	0.78%	1.845	0.79%
Exceptional Circumstances (Listed Building & Monument)	0.076	0.04%	0.00	0.00%
School Amalgamations	0	0.00%	0	0.00%
Sub Total	211.378	97.51%	232.730	98.96%
MFG	5.389	2.49%	2.431	1.04%
Total Delegated	216.767	100.00%	234.801	100.00%

Rounding differences will occur in the above table and relate to the LFF.

As per the Schools forum request, the 0.5% school block transfer is not being requested as part of the final formula.

Table 2 below highlights the difference between the DSG School Block allocation provided and how the formula has allocated the funding:

<u>Funding Factor</u>	<u>SB DSG Allocation £</u>	<u>Formula Allocation £</u>	<u>Variance £</u>
Pupil Funding	231,340,168	230,621,261	(718,907)
Premises Factors	1,925,427	1,977,584	52,157
Growth Funding	2,171,129	2,837,879	666,750
Total Funding	235,436,724	235,436,724	0

Additional Information is as follows:

- a) Primary pupil numbers (including nursery pupils and PAN variations) have increased from 24,995 in 2022-23 to 25,367 in 2023-24, an increase of 372 pupils.
- b) Secondary pupil numbers (pre-16) have increased from 17,757.5 in 2022-23 to 18,363.5; an increase of 606 pupils. The 0.5 represents at least one dual registered pupil or a pupil funded for part of the year.

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- c) 76.3% of funding is distributed through the basic entitlement factor in 2023-24 compared to 76.2% in 2022-23 or 76% in 2021-22.
- d) 93.9% of funding is distributed through pupil lead factors compared to 93.18% in 2022-23 or 92.65% in 2021-22.
- e) Primary schools will receive at least £4,405 per pupil and £5,715 for secondary schools. Medway average per primary School is £4,746 per pupil and £6,273 for secondary schools.

Q - Total funding, does this include the extra funding from the government?

A - No, as that will be sent via a separate grant.

Q - Why do some schools have large variations?

A - They could be a change in the make-up of pupils, and this can alter their funding, things such as demographics and the big increase to the lump sum funding for 2023-24.

Q - Why is it noted that you need to put in the 0.5% transfer, but you will not actually do this? Why is this included?

A - The formula for 2022-23 had the transfer from the Schools block from the high needs.

Q - Is there any reason why this would not go through?

A - If the EFSA says we cannot do this, we would use another route, however this is unlikely.

Decision - The School forum voted and agreed to ratify the recommendation, Medway's Cabinet to approve the Final Schools and Academies Funding Formula 2023-24.

This will then be reported to the Council's Cabinet on 07th February 2023 for 'political approval' - as per ESFA instructions.

MB advised the Schools forum on the next steps:

The Funding formula allocations for 2023-24 (i.e., the Schools Block allocation) will be notified to schools and academies as follows:

- 28 February 2023: Medway to confirm allocations to schools
- 31 March 2023: ESFA to confirm allocations to academies

9. NDR Bill - Continuancy Plan - MB:

MB advised that historically the rates funding was added to the formula; if there was an adjustment, this was made next year. In 2018, 4 schools required a repayment of rates which was addressed with the formula but 1 academy was not adjusted through the formula at the time. The Local Authority is in discussion with the EFSA regarding the issue of this academy overpayment of rates; this may come back to the Schools forum for input.

10. High Needs Recovery Plan Verbal update - Celia Buxton:

CB stated the deadline has been pushed back to allow the figures to be rerun and submitted due to the SEND increase.

11. SEND and Inclusion Funding Proposals - Celia Buxton:

CB talked through the feedback from the consultation noting the SEND and Inclusion Funding Consultation - Responses and Feedback December 2022:

- The proposals included within the SEND and Inclusion Funding Consultation was developed in partnership with representatives from schools across Medway, through the

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Inclusion Task and Finish Group, EHCP Task and Finish Group and Inclusive Education Oversight Group, as well as individual schools and groups of school leaders. The consultation launched on Friday, 11th November 2022 and closed at 5:30 pm on Monday, 05th December.

- This report provides a summary of the feedback received in the consultation responses and the subsequent actions and recommendations the Council will be making to the Schools forum.
- Appendix 1: Provides graphs for some of the questions included in the consultation survey and all the additional comments given by responders.
- The consultation received a total of 45 responses: 40 from mainstream schools and 5 from Special schools; 33 from Primary, 9 from Secondary and 3 All-Through.

CB advised that her report outlined three proposals being considered within the consultation:

EHCP Top-Up Funding	Introduce an EHCP Banded Funding to allocate funding based on level of need. The funding would follow the child, regardless of the provision they are in.
SEN Notional Budget Policy	Change the policy so that the council pays the Element 2 funding for some pupils with EHCPs where schools have a high-proportion of pupils with SEND (2 options for consideration)
Locality Resources	Devolve funding to schools system leadership groups to collectively deploy, to prevent escalation of need and address local challenges preventing inclusion.

It was noted that the feedback provided by 45 respondents suggests:

- There is majority support for a banded funding matrix in Medway. However, this needs further consideration regarding the level of detail within the matrix and clear protocols around decision-making processes.
- There is majority support for changes to the SEN Notional Budget, which should include SENK pupils. However, this requires further modelling to ensure that the system is fair, given that there are inconsistencies in identifying SENK.
- There is support for the introduction of Locality Resources. However, this requires further consultation with schools to determine the scope of how this funding is utilised and to ensure that the mechanisms for deploying this funding are fair and transparent.

EHCP Banded Funding (Top-Up Funding):

CB detailed report explained that the intention is for the proposed banding system to be applied across mainstream, resourced provisions and special schools. The banding will cover all costs, including for short periods of high expenditure, e.g. during the transition (following a placement breakdown). The band for each child will be decided at SEN Panel and reviewed as part of Annual Reviews at the end of each key stage.

Most respondents to the consultation agreed with introducing an EHCP Banding Matrix for Top-Up funding. However, many also felt that there needed to be further clarification and more detailed descriptions for each of the bands to assist with understanding levels of need and decision-making against these. There was also the request for consideration of the differences in the type of School and, therefore, the added core costs for schools catering for a unique need type for their School.

Regarding the transition into a banded funding system, most respondents preferred to start this

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with children and young people new to the Local Authority area or those with a new EHCP. Respondents also wanted further information and assurances about the process through which banding decisions would be made. The consultation paper refers to a SEND Panel, which includes representatives from schools (Headteachers or SENCOs) and representatives across the Local Authority SEND Team, Educational Psychology Service, SEND Early Years, Sensory Support Team, Designated Clinical Officer or Deputy.

The majority of respondents supported the proposal to introduce a three-year minimum guarantee for schools where their total top-up funding decreases by more than 10% of the total top-up (adjusting for part-year placements); or where there is a potential decrease of more than £100,000. However, some felt they needed further information to understand how this would work in practice and how it would be calculated.

SEN Notional Budget Policy:

The current Medway SEN Notional Budget policy tops up the notional SEND budget for all mainstream schools where the number of pupils with an EHCP x £6,000 (the Element 2 funding) is greater than the School's total notional SEND budget.

The proposal presented in the consultation with schools was to change the policy by which the LA funds Element 2 (£6,000) for pupils with EHCPs where the school has a high proportion of pupils with SEND. The consultation put forward 2 options:

- **Option 1:** If a school goes over the national average of pupils with EHCPs, the Local Authority pays Element 2 for pupils with EHCPs over that number.
- **Option 2:** If a school goes over the national average of SENK pupils or pupils with EHCPs (as a combined total), the Local Authority pays Element 2 for pupils with EHCPs over that number.
(6 SENK pupils equating to 1 EHCP pupil)

Whilst most respondents supported the proposal to change the SEN Notional Budget Policy, there was a split between the preferences between Option 1 and Option 2. And, whilst 61% of respondents agreed that the SENK population in schools should be considered as part of the calculation, 73% of respondents felt that the advice and support for identifying pupils with SENK were not clear and that there is no consistency across schools in how this is being applied and therefore further consideration should be given to this.

Most respondents preferred a new funding model whereby the 2023/24 cohort is funded in the 2023/24 funding. However, these monies are not received until the October census data is available (usually January).

Locality Resources:

The consultation included proposals to introduce devolved funding to provide locality resources that can be deployed collectively by the education stakeholders in the area to rapidly address short-term and emerging issues both for individuals and for groups, either in a school or across a group of schools. The resource is intended to prevent the escalation of needs and address local challenges preventing inclusion.

From the consultation feedback, it is clear that some respondents had confused these proposals with funding for the Alternative Provision (AP) system and the AP Review that has been socialised with Headteachers up to this point.

However, respondents to the consultation expressed a mixed view on the introduction of Locality Resources in terms of how effective and impactful they felt these resources could be in

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preventing the escalation of need, addressing local challenges that prevent inclusion, and supporting system leadership.

Additionally, there was a relatively even split of opinions on the allocation of Locality Resources: 40% preference for the Pupil Population, 36% for Deprivation, and 24% for Other. Following the consultation, Primary, Secondary and CEO forums have convened meetings to discuss these proposals in more detail and consider how this could work. The intention is for a meeting in January 2023 to bring these views and discuss them with the Local Authority. This funding is taken from the already approved inclusion fund; comments and suggestions from the Schools forum are welcome.

Q - The minimum funding guarantee, is this whatever is lower than 10% or £100k?

A - Yes.

Q - When you surpass the National average of SEND, what happens then?

A - Mainstream schools will receive element 2 funding for any children with an EHCP who are over the national average of 1.3%. This does not include resourced provisions.

Q - Where does this leave schools where non-SEND schools have high SEND levels? Such as Waterfront UTC with 40% SEND; who does not go over the £6k figure?

A - SENK is self-identified; there is more work to investigate this and how it will be measured and moderated.

Q - This means some schools cannot access funding at this point?

A - This is what the SEND notional budget is for; we cannot address this during this forum.

Q - Is there not a process for provision maps to be submitted?

A - There currently is, but this will be removed within the proposals.

Q - This needs to be clarified in the proposal, so the schools do not know that the individual top-up funding will disappear.

A - It is a whole system of funding that will change from banding and notional funding process. Top-ups without EHCPs have been declining over the year, and the Local Authority's view is that the top-ups should go.

Q - There is a difference between primary and secondary and a selective system in some schools. Is there a more urgent way that the policy could address the secondary funding issue for the non-selective secondary?

Can we not do this in two phases to address this straight way?

A - We have taken the lowest denominator. In terms of the SENK, the challenge is that this is self-identified, and we have no moderation. The money is in the system, and the intention is to get as much into other schools. Most schools said the use of SENK is not consistent as a means to do this. Medway SENK is higher than national. Secondary's notional budget is based on pupil numbers along with the prior funding budget. Selective schools do not get the same level of SENK notional budget.

Q - In terms of prior attainment, are you using data from KS2?

A - Primary schools receive funding through this factor for all primary pupils who did not reach the expected level of development at the Early Years Foundation Stage (EYFS). We do not have EYFS data for pupils in Reception because they are assessed at the end of the Reception year. We calculate the total number of eligible pupils by working out the proportion of LPA-eligible pupils in years 1 to 6 and multiplying this proportion by the primary APT-adjusted pupil count, which includes pupils in Reception.

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Secondary schools receive funding for all secondary pupils who did not achieve the expected level at KS2 in one or more of reading, writing and mathematics through this factor. We calculate the total number of eligible pupils by:

Taking the proportion of LPA-eligible pupils in each secondary year group from the 2022-23 APT, applying to each year group the relevant weighting. Multiplying by the APT-adjusted pupil count for the relevant year group and summing the results for each year group. In the APT, the LPA pupil numbers are weighted to reflect that the proportion of pupils reaching the expected standard in KS2 tests has changed over time.

Weightings are as follows for October 2021:

- Pupils in years 7, 8 and 9: 0.64527
- Pupils in year 10: 0.63586.
- Pupils in year 11: 0.58045

Q - From the consultation, are you able to see if they are secondary or primary pupils? As this may have an impact on the decision?

A - Around 50% wanted option 2, and 95% for option 1 or 2.

Q - I wonder if everyone understands the proposal, as it is very confusing. This is an immense piece of work; some schools could be very good at submitting the top-up cases and so could lose out?

A - You are quite right; some schools are good at this, and others could be better. This makes the process inconsistent and quite unfair, but the new process is an attempt to simplify this.

LF noted there is work to be done with SENK and the self-reporting. CB stated that when the policy is reviewed next year, we will review SENK and consider adding this to the policy at this stage.

Decision - The Schools forum members voted to agree on the following recommendations:

- The introduction of the EHCP Banding Matrix for the allocation of Top-Up funding is subject to further developments in consultation with schools and for this to be implemented with new EHCPs and children and young people moving into the Local Authority.
- The implementation of a 3-year minimum funding guarantee.
- Implementation of changes to the SEND Notional Budget as per Option 1, whereby funding will be received for pupils with an EHCP over 1.3% of the school population on the October census.
- For this is to be implemented on the basis that the Local Authority undertakes further work on the identification of SENK, with an agreement to review the policy and to re-consult with schools on including this into the SEND Notional Budget Policy into the following year.

12. AOB:
None

13. The Forward Plan - Date, time, agenda and venue of the next meeting.

- 17th May 2023, 2.30 pm virtual meeting.

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The meeting closed at 4 .15 pm

Signed by (Chair) Date: