

Norfolk Schools Forum

Minutes of Meeting held on Friday 7 July 2023 Easton College

09:00 – 12:30 hours

Present

Adrian Ball	Diocese of Ely Multi Academy
Helen Bates	Roman Catholic Diocese
Lacey Douglass	The Heather Nursery
Mike Grimble	Avenue Junior School
Glyn Hambling	Unity Education Trust
David Hicks	Synergy Multi Academy Trust
Georgie Howell (sub)	West Norfolk Academy Trust
Carol Jacques	Earlham Nursery School
Karen McIntosh (sub)	City College
Joanne Philpott	City of Norwich School
Sarah Porter	The Heart Education Trust
Tom Snowdon (sub)	Blakeney School
Daniel Thrower	The Wensum Trust
Joanna Tuttle	Aylsham High School
Martin White (Chair)	Nebula Federation

Representing

Academies
Roman Catholic Diocese
Early Years Representative
Maintained Primary Governors
Alternative Provision
Academies
Academies
Maintained Nursery Schools
16 – 19 Representative
Academies
Academies
Maintained Primary Schools
Academies
Maintained Secondary Schools
Maintained Primary Governors

John Baldwin	Head of Finance Exchequer services (for item 9)
Martin Brock	Accountant (Schools, SEND & EY)
John Crowley	Assistant Director, Learning & Achievement
Marilyn Edgeley	Admin Officer
Dawn Filtness	Finance Business Partner
Victoria Groom	Senior Advisor Strategy and Partnership
Paul Harker	Place Planning Manager (for item 6 (Falling Rolls))
Simon Paylor	Strategic Commissioner, Health & Disability (for item 8)
Nicki Rider	Assistant Director High Needs SEND
James Wilson	Director of Quality and Transformation

Apologies:

Martin Colbourne	City College	16 – 19 Representative
Bob Groome		Joint Consultative Committee
Clare Jones	Boudica Schools Trust	Academies
Rachel Quick	The Wherry School	Special School Academy
Hayley Porter-Aslet	Church of England Diocese	Church of England Diocese
Hayley Ross	Bure Park Academy	Special School Academy
Sarah Shirras	St Williams Primary	Maintained Primary Schools
Rebecca Wicks	The Clare School	Maintained Special School
Vicky Warnes		Joint Consultative Committee
Michael Bateman	Assistant Director, SEND Strategic Improvement & Early Effectiveness	
Sara Tough	Executive Director Childrens Services	
Sam Fletcher	Assistant Director, Education Strategy & Infrastructure	

1. Welcome and Introductions

The Chair welcomed everyone to the meeting.

2. Minutes of the Last Meeting and Matters Arising

Accuracy

- Comment re tribunals: sentence read that tribunals this year exceed those lodged in 2022. It should read that numbers exceed *those lodged at the same point in time of 2022*
- Word Indices should be INDES.

The minutes were accepted as a true record

Communications

The Chair confirmed the “Schools Forum Briefing” from last meeting has been sent out via an MI Sheet and asked members for comments.

- very good
- Comment on governor hub – how do clerks receive it?

Chair suggested the document be shared via governor hub as well as an MI sheet alert.

Balances

Will be discussed in item 5

3. Strategic Planning

Learning Strategy

We have been undertaking a programme of engagement activities inviting colleagues in the education system to share their views on the co-creation of a shared learning ambition for Norfolk. Communications have gone out to schools and other stakeholders. There will be a meeting on 10 July to consider the views shared so far and determine next steps. We will continue engagement in September and beyond. Feedback so far has identified Raising Expectations and Strengthening a Self-Improving systems as key areas to prioritise resource towards.

Comments

Not sure there has been agreement that the Learning Board will oversee the Learning Strategy and that is why people are asking questions. A discussion is required.

In response, if we get it right the Learning Board will get behind it –there isn't yet broad agreement on a strategy.

Where does Schools Forum sit in the Learning Strategy process?

In response, not a specific decision making role but an opportunity for us to engage with you.

Local First Inclusion

Forum were presented with the second formal report, which comes following a recent submission to the DfE of the first Tri-Annual Report on 16 June.

The report is in 3 parts:

- Progress on programme
- Spotlight on school led alternative provision
- High Needs and DSG Recovery Plan

The authority has reported to the DfE that it is on track across all workstreams, The report details the current position of the overall programme, which is structured according to the LAs / DfE's Safety Valve Agreement rather than the LFI programme structure.

The headline is that, whilst there is slippage in some areas, the overall programme remains on track to deliver the financial recovery within the specified timeframe. The key risk that has been highlighted in the first report is the delay of delivery of some of the SRB schemes to February 2024 rather than September 2023.

The report also highlights the local arrangements for governance, monitoring and challenge and the strong and visible role of Schools Forum within this.

Comments

Have the DfE responded to report?

In response, No and we are taking this as a positive sign.

There were wide reflections that it is disappointing not to have received a response from the DfE as School's Forum would want to understand their views especially since this is the first report.

Are we happy that DfE are happy with the way we are reporting?

In response, Richmond are being held up as the example of how to do reporting but we have not had feedback

How confident are you that you can deliver the identified SRBs by February 2024?

In response, this is achievable

If cost of refurbishment is greater than first anticipated where is the contingency in the plan?

When the capital programme was put together it presumed 50:50 split between refurbishment and new build. Expressions of interest initially indicated a higher percentage were refurbishment, but this is not the case now the feasibility work has been completed. The capital programme may have to be reviewed once full costs are known.

Schools Forum members agreed that the report provided insufficient detail on the individual capital schemes (particularly SRBs) and their relative status of deliverability against the agreed timescale. In order to provide appropriate oversight, support and challenge, School's Forum requested that this be included in future reports.

ACTION: Members requested:

- **List of SRB's and which agreed**
- **Impact of move on timeline**
- **Highest risk area**

How are you approaching the secondary phase?

In response, schemes for the Secondary Phase combine SRB expansion and Alternative Provision. Under School Organisation, an AP facility in a mainstream school would also be designated as a "unit", the same as a SRB.

One member reported he has a school, which expressed an interest in having an SRB, that has not had a response.

In response, Officers will follow up

*KPIs – it was noted in discussion regarding KPIs that EHCP demand had risen even further – As we are only in the first phase of the programme with capital schemes not yet on stream or School and Community Teams fully operational, the impact on demand for EHCPs is yet to be felt as was anticipated and forecast. **Work stream 3 School Led Alternative Provision** (slides circulated in the meeting)*

A presentation was given on the delivery of Work Stream 3 as part of a deep dive into this element of the LFI Programme.

Observations from Schools Forum members following presentation:

- The Programme is focussed exclusively on secondary, when there is substantial need within primary and can only access with permanent exclusion.

The new AP provision is targeted at secondary schools as the data on permanent exclusions and cohorts within existing AP shows significant pressure in this age range.

The AP in secondary mirrors the SEMH SRB provision in primary, insofar that it is schools run unit provision for children who would be at risk of exclusion. Substantial investment into primary provision is included within the overall programme.

- It was noted that the way in which NCC has undertaken the engagement with schools in the development of this area of the programme had been very strong and thanks was extended to NCC for the way it has approached this with schools from the outset.
- Broad support for the ambitions of the workstream but since we have known these issues for years, why has this taken so long?

Thinking regarding a “responsibility based” approach to AP had started in 2017/18 but there have been wider factors in the system that have impacted on moving towards this approach, (i.e. the rebrokering of Norfolk’s principal AP provision, Covid 19).

A level of caution was expressed regarding the “Responsibility based” approach to AP based on existing experiences of working with Cambridgeshire who have operated in this way for many years. Adrian Ball offered to lend his experiences of the Cambridgeshire system with Norfolk officers.

Action: Nicki Rider to follow up Adrian’s offer with Andy Tovell with a view to speaking in the new term.

Comments:

Discussion point: zero exclusion authority - early support does not exist in Cambridgeshire worried that this will happen here. Need to think carefully about what terminology we use and how it can be interpreted.

DSG Management Plan

The reason for the circulation of these slides is to give Forum the most recent information. The initial reset work utilising the 2022-23 outturn and other known updates increase result in a small increase per annum throughout the plan but do not change the year when a surplus is anticipated. However, Officers advised that further work is underway to review all the assumptions and to consider any additional mitigations, which will be reported to the Executive Board in September ahead of submission of the second Tri-annual report to the DfE

Comments:

Concern that situation always underestimated – we need a genuinely worst case scenario.

Built on certain assumptions so important Forum know what key assumptions are.

In response, Officers accepted this point and will share further details.

The spend has always been increasing for years, and now a further increase from 6 months ago - so a confidence issue for Members.

In response, Officers accepted the point. This modelling is far more complex than we have ever done before and there is an element of testing those assumptions and we need to keep working on it.

Action: NCC will share more detail with Schools Forum in future.

4. Early Years Funding from September

Information was received from DfE which gave the Norfolk allocations and clarified an expectation that the additional Early Years Supplementary Grant was expected to be ported through to providers in full as part of the base rate. The options discussed in the circulated paper were therefore not discussed.

The LA is not required to consult with Schools Forum but authorities are encouraged to engage with their early years providers about the funding amounts from September. This will be brought back to the September meeting for an update.

Comments:

Nothing significant happening to 3 & 4 year old funding.

In response, Officers did expect the bulk of the uplift to be for 2 year olds in line with the budget announcement.

5. Schools Balances and projections (matters arising)

At the Forum meeting in May Forum members requested further information in respect of the deficits shown, the 'cluster' balance and projections of schools' balances for the next two years. It was confirmed the 'cluster' balance is a group of schools in the Acle area that have put money together on a cost centre – it is not an SEN cluster.

Cluster' Comments:

Who governs 'that budget? What about if it increases?

In response, Governors across the schools.

Licensed deficits

These are not licenced deficits but we have included information about how that process works, they are not accepted as a budget but can be entered on the system.

Comments:

What about if it increases and the school becomes an academy – we can be in danger of paying the bill.

Projections of schools' balances for next two years

Included in a worst case scenario for income and expenditure and will review after revision 1 visits with consideration of action required.

Comments:

If a school keeps running a deficit in year 3 they will have to act.

In response, Officers think it is a serious issue before year 3 and the projections on maintained schools budgets are really worrying and do think this is a bigger problem currently and we don't have clarity from the DfE currently on how the system can resolve that.

It is the uncertainty; we don't know what is coming in.

On schools that are having to make staffing adjustments in past has been a provision if you can show this is because of funding complications, not clear who picks the costs up. Interesting to know how the redundancy position fits and who picks up the costs in maintained schools.

Action: NCC we will seek to clarify regarding redundancy costs for maintained schools

6. Dedicated Schools Grant Consultation Preparation

a) Autumn Consultation Approach

This item is an attempt to get ahead on what we consult on and to get a steer on what should be worked up over the summer so that we can launch the consultation as early as possible.

Response has been low in the past and we need to be clear that we need that response in order to make decisions. The one we need most guidance on is gains and capping.

Comments:

Response rate has been very low and there is a lot going on at the moment if you are trying to communicate with schools so communication handling is really important including on governing boards.

That notion of it being a Schools Forum consultation so communication really important.

Question about clarity about procedure of what goes into consultation.

In response, Officers confirmed that the authority makes recommendations and Schools Forum then has the decision regarding what to consult on This is then reversed for decisions on outcome of consultation.

Early Years

Officers considered around what we should consult on in relation to early years.

Most significant one is around teachers pay and pension grants.

Should this be part of consultation?

Comments:

Can we have more information in September, analysis of costs and potential implications.

In response, we can model different areas of how we distribute it.

Qualifications – would question whether the qualifications currently deemed equivalent are actually the same level; need more information in September to be able to discuss.

Supplements – there hasn't been any consensus to change the approach in previous consultations so there is no point in revisiting as we are not expecting a significant change in 3- and 4-year-old rates.

It was agreed to consult on all points apart from supplements.

Special School

Forum were advised that special schools had request further review of two areas of funding; residential and GCSE provision.

The paper provides further details on these areas and asks Forum to provide comments that will be fed back to the working group.

Any additional funding would have an adverse impact on the LFI plan and so one question is whether any amendments are a redistribution or an increase.

Last time the authority only consulted with Special Schools, should this now be open to all given the potential impact?

Comments:

The Chair highlighted that the two Special Schools representatives were not present and not on the funding review group. He said they should be included in the discussions on what should be consulted on.

Concern that the group is not representative of NASSH.

In response, Officers advised that all groups are represented.

Concern raised about the potential impact

It was agreed any proposed changes need to go to consultation with all schools if there is any additional funding ask

Gains and Capping

This was consulted on last year with no clear steer to change. -The main issue for the last two years relates to sparsity and small, rural schools.

Officers briefly reminded of the options. It was confirmed that the authority will make the final decision but ask Forum for a steer.

Comments:

Schools Forum feel they have been blamed in the past for the authority's decision.

In response, Officers advised that the LA does not feel it is appropriate to make a significant change to the schools funding formula without a clear steer from Schools Forum given that any amendment could have a significant impact upon a wide range of schools.

Can you model impact of taking out?

In response, Officers confirmed this detail was shown last year at a school level and will be part of any consultation paper.

It was agreed that Gains and Capping needs to be part of consultation

Falling Rolls

There is a proposal for School Forum to consider introducing a Falling Roll Fund that will support schools that may be vulnerable where there is significant decline, to protect school places where the Local Authority expect growth to return and will need to utilise those establishments in the future. The funding guidance will set out a possible formulaic approach to the funds introduction that will be transparent for all stakeholders.

Paul Harker talked through the data.

Comments:

That pupil planning process being accurate is key to which schools get this.

Need transparency on how any funding decision is worked out.

Need to be made clear that this is part of the formula.

In response, Officers are reviewing our place planning processes all the time. NCC are within our 1% threshold for both primary and secondary forecasting.

Agreed needs to be part of consultation.

Forum noted Fair funding - Block Transfer and De-delegation of Audits to both be part of a consultation

7. Notional SEN

Clarification provided that funding is notional, but links with access to Element 3 funding.

The LA are considering whether Norfolk should make a change now given the indication from the Government as to the level expected in a hard funding formula, and the steer from the DfE that Safety Valve authorities are expected to implement their guidance

Key point - we could be facing a cliff edge if the Government moves to a hard formula, so should we move now in stages?

The intention is to go out at same time as main funding consultation.

Comments:

Needs to be alongside the other consultations as ties into main Schools budget. The discussion reflected that there was a need for transparency and for clarity as to the impact upon schools, meaning that messaging to schools is vital to enable them to understand proposals and implications.

Agreed needs to go to consultation to consider option on page 68 of report – phased increase in coming years.

Forum suggested the following options:

All in one go

Or not at all

Suggestion of extending an extra year to allow Local 1st Inclusion to have an impact but have the end point the same.

8. Catering

Simon Paylor went through the options in papers and said the purpose is to present the risks, challenges and options available and said the LA needed Forum to give a steer on the way forward.

The authority want to establish a schools catering commissioning group to make some key decisions.

There has been some interest from providers. It is possible that a group contract could be secured.

Two options available:

- Competitive procurement
- NCC assist schools to procure their own catering services – this becomes a default option in the event of failure of the first option.

In this instance, Norse have stated to the LA that they would not let schools go without provision even past the end of March 24 to mitigate the risk of disrupted services. In practice, this would mean that individual schools would need to make interim arrangements with Norse to continue service on their terms.

Comments:

The Chair summed up saying therefore the two options are a group contract or schools procuring their own contract.

There was the opinion that large schools or schools part of a group would do better organising their own contract. Stand alone schools would not find this so easy.

In response, Schools Forum can play a role in promoting engagement.

Certain timelines that are dictated by the process: if you want to open up opportunities for people to think about then their needs to be some principles for people that potentially want to tender and a roll in roll out programme.

Chair summed up that the view was in the first instance the authority would look into a group contact.

Catering Commissioning Group – the following people volunteered:

Martin White

Glyn Hambling

Tom Snowdon

Georgie Howell

The following people's names were put forward by the Chair:

Ashley Best-White

Sarah Shirras

Diocese of Norwich representative

Action: The initial meeting will be arranged to take place before the end of term.

9. DfE Risk Protection Arrangement

RPA are changing the offer relating to maintained schools.

All maintained schools at the moment take up the NCC offer.

Question is do the LA encourage schools to go one way or the other?

Government sees it long term as the place for schools to go. The RPA scheme is effectively underwritten by central Government, but are expected to increase the price per pupil annually as they have done to date.

The LA are looking through the options. The authority has always advocated the NCC option but feel the recent changes are worth looking at.

The LA presume Forum want us to continue looking at this and then come back with a LA view.

It was agreed that officers continuing investigating.

10. Future Plan

Add Catering for September and November

Add RPA for September

11. Date of next meeting

29 September 09:00 – 12:30 Cranworth Room County Hall

The meeting ended at 12:30