

CITY OF YORK SCHOOLS FORUM

Minutes of the Schools Forum meeting held on Wednesday 8th February 2023 at 8.00am at West Offices

Present:

Dave Hewitt (Maintained Secondary Headteacher Representative) Chair, Adam Booker (Special School Representative), Adam Cooper *deputising for* Mark Hassack (Academy Representative), Glen Duxbury *deputising for* Andrew Daly (Academy Representative), Steve Lewis (Academy Representative), Debbie Reay *deputising for* Tracey Roberts (Early Years Sector Representative), Mark Richardson (Pupil Referral Unit Representative), Jenny Rogers (Maintained Primary Headteacher Representative), James Rourke (Maintained Primary Headteacher Representative), Helen Winn (Academy Representative)

In attendance:

Cllr Andrew Waller (Executive Member for Children, Young People and Education), Martin Kelly (Corporate Director, Children and Education, CYC), Maxine Squire (Assistant Director, Education and Skills, CYC), Richard Hartle (Head of Finance, CYC), and Barbara Kybett (Governance Advisor, CYC, Coordinator and Clerk)

1. Welcome

The Chair welcomed everyone to the meeting.

2. Apologies for absence

Apologies were received from Jo Olsen (Maintained Secondary Governor Representative), Claire Rigden (Maintained Nursery Headteacher Representative (VC)) and Dee Statham (Academy Representative).

3. Membership update

Previously distributed. It was noted that the terms of office for academy representatives Andrew Daly and Steve Lewis would be ending in March; both would be asked to consider their re-appointment.

It was noted that Helen Gration, Early Years Sector Representative, had stepped down from the role and had been replaced by Tracey Roberts.

4. Minutes of the Schools Forum meeting of 9th November 2022

Previously distributed. The minutes of the last meeting were agreed to be a true and accurate record and were duly noted as approved.

5. Matters Arising not on the agenda

There were no outstanding action points to report.

6. Setting the School, High Needs, Early Years and Central Services budgets for 2023/24

Previously distributed.

Richard Hartle referred to his finance paper which provided further updates on the provisional estimates shared at the November meeting of Schools Forum.

Richard advised that the Dedicated Schools Grant (DSG) for 2023/34 had now been confirmed, based on pupil numbers from the autumn census. He referred to the table of figures in Paragraph 5 which set out the final position for all areas except the Early Years block, which would be adjusted based on the take up of hours.

Referring to the information in the paper regarding the Schools Block, Richard reminded the Forum that there had been agreement at the last meeting to continue to follow the National Funding Formula (NFF) for schools. Richard drew attention to further information on the NFF figures for 2023/24, detailed in Annex 1.

In terms of the Growth Fund, Richard advised that allocations would continue to reduce in line with the decrease in funding from the DfE. With census numbers now available, the cash limit capping rate had been calculated at just over 25% for the 2022/23 academic year which was similar to the previous year. Information on allocations would be sent to schools shortly.

Richard reminded the Forum that information on the DfE's consultation on funding for the Early Years block had been brought to the last meeting. Despite negative feedback from the sector on the proposal, the DfE had decided that the Teachers' Pay and Pension Grants (TPPG) for school based nurseries and maintained nursery schools should be rolled into the Early Years National Funding Formula (EYNFF) base rates for 2023/24. Richard referred to the figures in Paragraph 11, noting that the DfE had made no provision for a separate allocation for the Private, Voluntary and Independent (PVI) sector. In York, there was one single hourly rate paid to providers across the sector. The DfE had encouraged Local Authorities (LAs) to introduce a separate supplement for the TPPG, allocated only to Early Years settings which employed a qualified teacher; this approach would result in three elements to the formula.

Richard referred to the options for the local Early Years formula set out in Paragraph 17, which the Forum was asked to consider. Option 1, to retain one basic hourly rate for all providers, was the LAs preference. Richard outlined the advantages of this option and the disadvantage of Option 2, which was to introduce a new supplement to channel funding to Early Years settings employing qualified teachers. Richard noted that Option 2 was the DfE's preference, but many LAs would not be taking this option as it was inequitable

and more difficult to implement. Richard highlighted the implications for the hourly rate of both options, set out in Paragraph 22, and he provided further explanation of the figures. He advised that the Executive Members would be setting the Council's budget on 9th February and that the relevant Council officers were supportive of the approach set out in Option 1. Richard invited comments from the Forum, which would then be communicated to the Executive Members before they met the following day.

Maxine Squire highlighted that the impact of the pandemic on the childcare sector had been considered in recommending that the basic hourly rate for all providers be maintained. She advised that the majority of the city's pre-school settings were in the PVI sector and were experiencing challenges in the recruitment and retention of staff. The sector had historically been severely underfunded, and the gap was likely only to widen. Maxine noted that the PVI offer could not be replicated by schools. Debbie Reay agreed that the sector was in a very fragile state, not least due to the issues in filling staff vacancies. She advised that, within the city, staff to child ratios met government recommendations and some settings did employ qualified teachers. She highlighted that the sector was also experiencing the financial pressures of pay increases and energy costs. As a representative of the Early Years PVI sector, Debbie supported the proposal set out in Option 1.

In response to a question regarding the DfE's preference for introducing a new supplement for settings employing a qualified teacher, Richard expressed the view that this method of allocating funding best reflected the policy of raising teachers' salaries.

A question was raised as to whether schools would be expected to fund any shortfalls in the budget. Richard responded that schools had a greater of economy of scale and, in addition, the DfE had now provided additional funding for schools. This had influenced LA officers' preference to allocate funding on the most equitable basis to the Early Years PVI sector. Maxine noted that the sector

cared for children from birth, which was not offered by schools, and was fundamental to work in early education in the city. The sector was also important to economic development. It was noted that some nurseries in the city had already closed due to financial hardship. There was further discussion on the value of the Early Years PVI sector in York and the financial difficulties it faced.

In response to a question, Maxine confirmed that nurseries in school settings were permitted to operate without employing qualified teachers.

Referring to Paragraph 11 of his paper, Richard reported that St Paul's Nursery had already benefited from an increase in funding through a supplement for Maintained Nursery Schools.

Schools Forum members agreed that the option to retain one basic hourly rate for all Early Years providers in the city was their preferred approach to funding the sector.

Moving to the section on the High Needs block, Richard noted that there had been little change since November's meeting. With reference to the Central School Services block, he advised that the challenge was the reduction of funding for historic commitments, as set out in Annex 3. He advised that the reduction in funding from the DfE for 2023/24 totalled £315k and his proposal was to make reductions proportionately across both LA and school-based commitments of 20%, but it was for Schools Forum to make recommendations on how the LA should manage the 20% budget reduction in 2023/24. Richard invited comments and questions.

Maxine noted that decisions regarding the future use of funding would need to be made quickly. She reminded members that funding was currently used to support the School Wellbeing Worker service and consideration would need to be given as to how this would be funded in future, if indeed it was still considered valuable. There was also the future of the Behaviour Support Service to consider, where targeted specialist support for certain areas of SEND might be

needed. Maxine reflected that the landscape had changed since the projects were first started.

Richard explained that he proposed a reduction in the contribution to Children's Centres on school sites rather than any cuts to the schools' safeguarding service. Although any DSG funding reduction would be matched by an increase in funding from the council's General Fund.

It was noted that the DfE was likely to eventually reduce this area of funding to zero and it was therefore crucial to have a plan in place regarding historic commitments.

A point was raised regarding the need to retain a school improvement fund for maintained schools. Richard advised that support and intervention was only put in place with the agreement of the school.

Richard reminded the Forum that the decision on how to manage reductions to the Central School Services was for the LA to make but members' views were invited. Maxine commented that school leaders in the city had collaborated creatively, as a result of which a healthy balance had been maintained, this being currently managed by the York Schools and Academies Board (YSAB). The funding would be used for the benefit of all schools in the city, whilst retaining a contingency for schools in need.

Richard referred to Annex 3 and noted the various uses of the funding. He underlined that there could be no recourse to the Council's general fund once the DfE funding had ceased. There was further discussion on the financial pressures faced by the Council.

It was proposed, and agreed, that the element of DSG retained by the LA for use in maintaining LA central responsibilities, as set out in Annex 4, should continue to be used in this way.

Richard noted that he had been asked at the last meeting for more analysis of the funds spent on central services in 2021/22. This was not recorded but he would provide an estimate of expenditure with the outturn at the end of the current year, and more detailed analysis would be provided going forward. He highlighted, however, that the expenditure incurred by the LA on central services was less than the funding provided.

Richard advised that a new additional grant for mainstream schools had been announced in the 2022 Autumn Statement, and the resulting figures were included in his paper. There would be an additional £5.4m, a rise of 5.2% per pupil across this sector. Richard noted that this was helpful additional funding for 2023/24 and would be paid as a separate grant in that year, and rolled into NFF and DSG funding for future years. An additional £1m would also be received for 2023/24 for high needs (SEND).

Finally, Richard referred to the one remaining maintained school de-delegation which was in respect of the Behaviour Outreach Service provided by the Danesgate Community. He proposed to increase this de-delegation by the average rate of pay inflation but reminded the Forum that maintained schools could decide not to de-delegate for this service in 2023/24. James Rourke reported that headteachers of the maintained primary schools had agreed to continue with the de-delegation for this very valuable service.

Continuation of the de-delegation of funding from the schools' formula funding for the primary behaviour support service was therefore agreed by those eligible to vote.

Richard referred to the recommendations in Paragraph 40, which had been discussed above, and was thanked for his report.

7. Safety Valve quarter 3 monitoring report

Previously distributed

Maxine referred to her paper and advised this was a summary of the Safety Valve quarter 3 report prepared for the DfE; a quarter 4 report was not required. She reported that she had met with DfE representatives recently: they were pleased with the current position as the LA was on track to meet the deficit reduction targets.

Maxine advised that the focus was now on the sufficiency of the city's provision for SEND, particularly for neuro-diverse children and young people, and those with social, emotional and mental health needs. Maxine observed that there needed to be agreement on what should be provided in mainstream schools, as parent feedback reflected a view that some schools were more inclusive than others. It was crucial to clarify for parents what they could expect from the varying types of provision, and this would need to be agreed at city level. Maxine advised that some schools had more pupils with Education and Health Care Plans (EHCPs) than others, but this was being driven by parental perception and preference, rather than catchment. Parents were expressing considerable anxiety around transition from primary to secondary school which was challenging for the Admissions team. It was therefore important to have a common agreement on what mainstream provision for pupils with these specific needs should look like.

Maxine also highlighted the importance of ceasing EHCPs when appropriate and added that it was not always easy to see that the interventions specified in Plans were having the desired impact. Officers would work with SENDCos on the specificity of the provision for pupils with needs.

In response to a question, Maxine explained that ceasing EHCPs was more likely to apply to young people in the 19 – 25 age group as part of the transition to adulthood. The financial impact of ceasing plans was also being tracked.

Maxine summarised other operational activity which had taken place in Quarter 3 against each of the priorities in the Safety Valve agreement:

- work had been done on reducing the costs of transport for pupils with SEND; the taxi provider had played a key role in identifying efficiencies
- the SEND champion course had been successfully introduced by the Pathfinder Teaching School Hub
- capital works to provide more Enhanced Resource Provision were underway
- the Skills team had begun work on supported internships for pupils with SEND
- the SEND capital plan had been approved by Council.

Maxine summarised that good progress had been made and reported that DfE representatives had been very complimentary about work completed this year. The Plan was on track to deliver improvements and officers were now working on an operational plan to deliver SEND strategy.

Schools Forum members noted the progress of the Safety Valve recovery plan and offered their support for the actions identified to deliver the plan.

A query was raised about the issues faced by schools when pupils were not best served by the recommendations of their EHCPs, which could not be delivered by mainstream settings. There were parental perceptions around EHCPs which could not be realised. Maxine responded that the LA was working with parent and carer forums to develop understanding of mainstream provision and was identifying training for writers of EHCPs which would help to improve the quality of plans. She observed that schools were crucial in the process of developing an EHCP: SENDCos could submit amendments and were encouraged to seek guidance from other key professionals when writing applications for EHCPs. Discussion followed on the changing picture of provision for pupils with SEND and the role of tribunals in shaping this. Maxine highlighted the increased levels

of parental expectations and the need to manage these with consistent provision across mainstream schools.

8. Schools Forum task and finish groups

Previously distributed

Maxine referred to her paper in which she had set out areas identified for Task and Finish groups which could be used to consider and make recommendations on the use of diminishing and finite resources. She had identified the following areas:

- High Needs DSG – a review of SEND banding (Early Years to Post 16)
- a review of Alternative Provision, as most was unregistered, to include SEMH outreach service, sufficiency and use of capital
- a review of centrally retained funding for school improvement.

Maxine invited participation, noting that this could be from a wider pool of colleagues than those from Schools Forum. She proposed that the Task and Finish groups would run in March and April, ready for proposals to be brought to the May meeting of Schools Forum. The Chair noted that the work of these groups would dovetail with YSAB's remit.

Members of Schools Forum agreed the areas of focus for the Task and Finish groups.

There was a suggestion to include Health sector professionals which Maxine would progress.

Action: Maxine Squire to circulate a programme of meetings for Task and Finish Groups to individuals nominated by Schools Forum members.

9. Schools Forum forward plan

Covered above.

Richard noted that there would be no new financial information presented at the May meeting. The outturn position from Schools Forum and YSAB would be presented at the July meeting.

10. Any other agreed business

There was no other business.

11. Dates and time of meetings during the current academic year:

- 10th May 2023
- 12th July 2023

All meetings were scheduled to start 8am in West Offices.

The meeting closed at 9.40am.

APPROVED