

Rotherham Schools' Forum

**Venue: Virtual Meeting via
Microsoft Teams**

Date: Friday, 20 November 2020

Time: 8.30 a.m.

A G E N D A

1. Welcome and Introductions.

Welcome by the Chair and introductions by all Forum Members present.

2. Apologies for Absence.

To receive apologies from any Forum Member who are unable to attend the meeting.

3. Appointment of Chair.

To consider all nominations for the position of Chair for the ensuing two years.

4. Appointment of Vice-Chair.

To consider all nominations for the position of Vice-Chair for the ensuing two years.

5. Declarations of Interest.

To invite Forum Members to declare any interests they may have on agenda items to be considered at this meeting, to confirm the nature of those interests and whether they intend to leave the meeting for the consideration of the item.

6. Minutes of the Previous Meeting. (Pages 1 - 11)

Recommendation:- To receive and approve the minutes of the previous meeting held on 18th September, 2020.

7. Matters Arising from Previous Minutes.

To consider and report on any matters arising from the previous minutes.

Items for Discussion:-

8. Trade Union Facilities Time (Pages 12 - 13)

Report by Neil Hardwick and Vera Njegic, Schools Finance.

To consider Trade Union Facilities Time.

9. School Funding Formula 2021/22 Consultation Outcome (Pages 14 - 27)

Report by Neil Hardwick and Vera Njegic, Schools Finance.

Recommendation:- That members of Schools' Forum note the content of the report and that votes be undertaken with the appropriate members of the Schools' Forum to agree the school and academy local funding formula for 2021/22 for submission to the ESFA January 2021.

10. DSG Management Template

Neil Hardwick, Schools Finance, and Jenny Lingrell, Assistant Director, to report.

Recommendation:- To receive and note the detail for the DSG Management Template.

11. SEND Sufficiency Phase 3

Report by Jenny Lingrell, Assistant Director, Commissioning, Performance and Quality

Recommendation:- To receive an update presentation and note the progress.

12. Scheme for Financing Local Authority Maintained Schools (Updated Scheme)

Report by Vera Njegic, Schools' Finance.

Recommendation:- To receive a report and note the contents.

13. Free School Meals

Report by Nathan Heath, Assistant Director of Education and Neil Hardwick, Schools Finance.

Recommendation:- To receive a report and note the contents.

14. Any Other Business.

Recommendation:- To receive any other items of urgent business.

15. Date of Next Meeting

Recommendation:- To consider and agree the date and time of the next meeting of the Rotherham Schools' Forum on Friday, 15th January, 2021 at 8.30 a.m. – virtual meeting.

**ROTHERHAM SCHOOLS' FORUM
FRIDAY, 18TH SEPTEMBER, 2020**

In Attendance:- Deborah Ball (Treeton Primary (Academy) (in the Chair);
Raymund Brent – Primary Maintained Governor
John Coleman – Nexus MAT
Dom Curran – Aston Academy (Academy)
Pepe Di'lasio – Wales High (Academy)
Neil Hardwick – Head of Finance, CYPS, RMBC
Nathan Heath – Assistant Director of Education, CYPS, RMBC
Janet Hodgkinson – GMB Representative
Andy Krabbendam – Kiveton Park Infant and Harthill Primary (Academy)
Jenny Lingrell – Assistant Director, Commissioning, Performance and Inclusion,
CYPS, RMBC
Angela McComb – Primary Maintained Governor
David Naisbitt – Oakwood High (Academy)
Vera Njelic - Principal Finance Officer, RMBC
Nevine Towers – Diocese of Sheffield
Debbie Pons – Clerk, RMBC
Steve Scott – PVI Sector
Sharon Stones – Head of Arnold Nursery and Children's Centre
Paul Silvester – Newman Special School (Maintained)
Councillor Gordon Watson – Deputy Leader

Apologies were received from:-
Dean Fenton - Head of Access to Education
Ian Henderson, H.R. Officer, RMBC
Mary Jarret – Head of Inclusion, RMBC
Kirsty Peart - Sitwell Infant (Maintained)
Alan Richards – Secondary Governor

49. DECLARATIONS OF INTEREST

There were no declarations of interest to report.

50. MINUTES OF THE PREVIOUS MEETING

Consideration was given to the minutes of the previous meeting held on 26th June, 2020.

Agreed:- That the minutes of the last meeting held on 26th June, 2020, be approved as a true and accurate record.

51. MATTERS ARISING FROM PREVIOUS MINUTES

There were no matters arising that were no contained within the agenda items for this meeting.

52. DSG MID-YEAR UPDATE

Neil Hardwick, Head of Finance for Children and Young People's Service, introduced the report which provided an update on the wider dedicated schools grant (DSG) position for 2020/21 and to ensure Schools Forum Members were aware of the current year position of the wider dedicated schools grant (DSG) and the impact this had on the DSG reserve.

It was pointed out that on closure of the 2019/20 accounts the Council had not been notified of the final early years' adjustment for 2019/20 as a result of the January schools and early years' census. The Council estimated that this would be a £50k addition. However, on the 17th July, 2020 the ESFA provided the final allocations to local authorities and for Rotherham the adjustment was an increase in funding of £43k. The overall impact of the ESFA final allocations was that the Council received £7k less income than initially anticipated

In terms of the 2020/21 overall DSG position the initial allocations were issued in December, 2019 and the latest July, 2020 allocations were updated and detailed as per the submitted report.

The High Needs adjustment could be analysed with additional funding for Imported Places (Jan 20 Census) (£255k). This adjustment was to reflect any changes either in the placement by a local authority of pupils in schools and colleges located in other local authority areas (exports), or in the funding required by schools and colleges accepting pupils and students resident in other local authority areas (imports).

As at the end of August (period 5), the anticipated outturn position indicated that Early Years were currently forecasting a breakeven position at year end; the High Needs DSG had a forecast overspend of £0.420m based on the DSG recovery plan and included anticipated growth on EHCs numbers and the implementation of new developments linked to the SEND Sufficiency Strategy.

Based on the above, the level of DSG central reserves deficit would increase from a deficit of £19.892m (carried forward from 2019/20) to £20.312m at the end of 2020/21 and this would equate to 8.03% of the overall DSG allocation.

In summary, the financial sustainability of the High Needs Block remained a significant cause for concern for the borough which would require addressing for 2021/22.

It was also pointed out that an email had since been received from the ESFA on the 16th September, 2020 confirming a DSG management template had been devised for local authorities with a finance deficit. It was, therefore, suggested this be completed and presented to the next meeting of the Rotherham Schools' Forum in November, 2020 to outline the latest projections and strategies.

Forum Members welcomed the report, but expressed some concern with the impact of COVID-19 on the forecasts in terms of potential requests for more EHCP assessments. Whilst this was an area that could spike following the schools' return after the summer break, it would continue to be closely monitored.

Agreed:- That the current position be noted.

ACTION:- ALL

53. NEW FUNDING ANNOUNCEMENTS

Vera Njelic, Schools' Finance, introduced the report which provided information relating to the recently announced School Funding Update setting out the key aspects to schools, high needs and central school services national funding formula for 2021/2022.

Provisional funding allocations for 2021/2022 through the schools, high needs and central services national funding formula (NFF) have been published. The 5-16 core schools and high needs budget would, compared to 2019/20 rise by £4.8 billion in 2021/22 and £7.1 billion in 2022/23.

Funding from the teachers' pay grant and the teachers' pension employer contribution grant, including the supplementary fund, had been added to schools' NFF allocations from 2021-22.

The funding had been added to basic per pupil entitlement, to the minimum per pupil funding levels and to schools' baselines so that it was protected through the funding floor. This would simplify the allocation of this funding – worth almost £2bn a year – recognising the fact that these grants were part of schools' core budgets and providing reassurance to schools and local authorities that this funding would continue to be provided.

The minimum per pupil amounts were also set to increase; the current levels were £3,750 for primary and £5,000 for secondary schools. For 2021/2022 these would increase to £4,000 and £5,150 for primary and secondary respectively. Schools would also receive an additional £180 and £265 per pupil respectively to cover additional teachers' pay and pension costs previously funded through the separate grants. In addition, for 2021/2022 the minimum funding guarantee would be between +0.5% and +2.00% (for 2020/2021 the MFG was between +0.5% and +1.84%).

Local Authorities would only be able to transfer 0.5% of their Schools block with School Forum approval. To transfer more than this or any amount without School Forum approval would require a disapplication request to the Secretary of State.

Within the allocations announced above, £730m had been included in 2021/22 to support children and young people with special educational

needs. The high needs NFF would ensure that every Local Authority received an increase of at least 8% per head of population.

Central schools services funding in 2021-22 would increase by 4% for the ongoing responsibilities that Local Authorities continue to have for all schools.

Agreed:- That the report be received, the contents noted and for all information to be shared with school/academies represented by Schools' Forum Members.

ACTION:- ALL

54. NEW FUNDING ANNOUNCEMENTS

Vera Njegic, Schools' Finance, introduced the report which provided details of the recently announced School Funding Update relating to funding to support children and young people to catch up following disruption to their education as a result of Coronavirus (Covid-19) and Early Years this autumn term.

On 20th July, 2020 the Government announced £1 billion of funding to support children and young people to catch up. This included a one-off universal £650 million catch-up premium for the 2020/2021 academic year and a £350 million National Tutoring Programme for the most vulnerable and disadvantaged.

The £650 million of universal catch-up premium would be available for all mainstream and special schools and alternative provision. Funding would be provided for pupils with EHC plans who were educated in independent special schools. Schools' allocations would be calculated on a per pupil basis, providing each mainstream school with a total of £80 for each pupil in years reception through to eleven. Special and AP schools would be provided with £240 for each place for the 2020/2021 academic year.

It was noted funding would be provided in three tranches with an initial part payment in Autumn 2020. As the catch-up premium had been designed to mitigate the effects of the unique disruption caused by coronavirus (COVID-19), the grant would only be available for the 2020 to 2021 academic year. It would not be added to schools' baselines in calculating future years' funding allocations.

Schools have the flexibility to spend their funding and a support guide for schools with evidence-based approaches to catch up for all students had been published.

The £350 million National Tutoring programme also provided additional targeted support for those children and young people who needed the most help. Schools and academies would need to submit an application to the ESFA to access this programme and subsidised tutoring.

The Government had also announced its position on funding local authorities and childcare providers for the early years free entitlements for the 2020 autumn term, confirming that they would fund all childcare at the higher of the current and previous autumn terms numbers. This meant that even if providers were open, but caring for fewer children than they usually would be in the autumn term as a result of lower demand from parents or for public health reasons, they could continue to be funded as if the pandemic were not happening. This gave another term of secure income to nurseries and childminders.

Forum Members welcomed the report, but sought clarification on the application and funding process for the National Tutoring Programme and were advised the Programme had been allocated funding as part of the Government's £1 billion Coronavirus Catch-Up Package. This funding would be used to subsidise 15-hour programmes of tuition with 75% of the cost covered by the National Tutoring Programme and 25% by the school.

Agreed:- That the report be received, the contents noted and for all information to be shared with school/academies represented by Schools' Forum Members.

ACTION:- ALL

55. SEND JOINT COMMISSIONING STRATEGY, SEMH STRATEGY AND SEND SUFFICIENCY

Further to Minute No. 42 of the previous meeting held on 26th June, 2020, Jenny Lingrell, Assistant Director, Commissioning, Performance and Inclusion, gave a presentation, using Powerpoint, on progress of the Rotherham Social, Emotional & Mental Health Strategy, SEND Sufficiency and SEND Joint Commissioning, a copy of which would be circulated to all Schools' Forum Members after the meeting.

The presentation drew specific focus to:-

- Within the Rotherham Social, Emotional & Mental Health Strategy:-
 - **Sufficiency:** develop local education provision that responds to need – this will include flexible and specialist provision:-

Maltby Hilltop, Waverley, Milton Special, Wales High, Brinsworth and Thomas Rotherham College project developments.

Developing 'turnaround provision' in partnership with the Willow Tree Trust and Wickersley Partnership Trust.

Phase one: pilot with small number of children with identified need within the Trust and **Phase two:** development of

borough-wide offer with clear pathways and governance and would align with the Isos findings and recommendations and include joint work with the DfE to meet the guidance for the statutory processes.

- **Seamless Pathways:** ensure that pathways to support are connected and aligned and develop a clear behaviour pathway that includes responses to attachment and trauma:-

Phase one: implementation of the mental health trailblazer

Phase two: pathway review

- Refreshed neuro-developmental pathway will be launched before end September.
- Commencing review of psychological therapies pathway.
- Aligning with Covid-19 responses and learning.

The Wellbeing for Education Return project had two elements; a new national training package providing guidance and resources for education staff on responding to the impact of Covid-19 on the wellbeing of their students and pupils and funding to local authorities to help put local experts in place to work with partners to adapt this training, deliver it to nominated staff in education settings, and provide ongoing advice and support until March 2021

This does not replace the long-term strategy to introduce new mental health support teams, but developed training for senior mental health leads in schools and colleges and tested approaches to delivering four week waiting times for access to NHS mental health support.

The Anna Freud Link Programme aimed to bring together education and mental health professionals so that more children and young people got the help and support they needed, when they needed it. Online workshops would be facilitated by Anna Freud Centre and participants would need to complete a self-study module prior to attending the workshop and specific requirements for each cohort.

The Ambition aligned to Rotherham's SEMH Strategy as it built confidence and shared understanding across the workforce, identified and met need early, managed capacity across the system, aligned pathways, avoided duplication, confusion and frustration.

- **Partnerships:** develop and sustain robust inclusion partnerships that enable schools to meet need through a collective approach to responding to the needs of individual children.

- **Evidence-Based Approaches:** ensure that the local authority offer (from Early Help and Inclusion services) is underpinned by evidence-based approaches and aligned with clear pathways.

Identifying the aims and approach to the project.

The guiding principles for the Isos Project.

Continuum of primary inclusion support in Rotherham already starting to be developed through discussions to date and the associated timescales.

- **Workforce:** develop a robust training and support, enabling practitioners to feel confident in responding to the needs of children and young people with SEMH need. This would involve:-

- Completing a full audit of the current offer of training and workforce and development.
- Co-producing with stakeholders a comprehensive training offer to support the workforce and families to meet the needs of children and young people with SEND.
- Ensuring that the recommended models are evidence-based or evidence-informed.
- Making recommendations of where training currently delivered by in-house providers across the system should continue to be commissioned, and where it should be potentially de-commissioned.
- Ensuring that the offer is clear and that there is no duplication across the system.
- Researching and recommend options for commissioning external providers of training where this offers high quality and represents value for money.
- Designing a web-based interface that will enable the children's workforce to identify which training will meet their needs, and support them to access this training.
- Identifying any gaps, and commission/procure training to meet these needs.
- Embed the four cornerstones of co-production into the approach.

Analysis of 14 training providers across Rotherham identified 135 potential training and CPD opportunities (including 7 online).

Analysis by category of SEND need, conclusions and recommendations.

- Rotherham SEND Joint Commissioning Strategy:-

- Joint work between Rotherham CCG, The Rotherham Foundation Trust and Special Schools to develop Core Competencies Framework and Documented Roles and Responsibilities.
- Roll-out the Health Offer approach across all community health services, so as to provide clarity to schools and wider partners as to health roles and responsibilities.
- Develop joint commissioning arrangements for Home Care arrangements Re-commission short-breaks, identifying opportunities for alignment between the Local Authority and Rotherham CCG. Review Joint Equipment Panel.
- Develop clear joint pathways of support for children and young people who are accessing specialist school places (SEND Education Sufficiency Strategy) Develop an SEN Support Toolkit.
- Review the offer of speech and language to ensure that it is targeted appropriately at need.
- Develop pathways to support the transition for children and young people with long-term conditions.

The Forum were advised that Isos Partnership, engaged to lead a review of Alternative Provision and Partnerships in Rotherham, had been working on the continuum of inclusion support and AP (with a clear understanding of the roles and pathways), the decision-making processes and responsibility for pupils requiring inclusion support and AP; and the funding system, ensuring this supported strategic priorities and the day-to-day operation of inclusion support and AP. It was suggested that the Isos Partnership be invited to the meeting in January, 2021 and present their findings.

Forum Members found the presentation very informative and welcomed the approach being taken forward. An update on progress in due course was welcomed. The whole school understanding of the issues was invaluable.

Discussion ensued on the mandatory training of newly and recently qualified teaching staff and how this could be explored further and strengthened.

Agreed:- (1) That Jenny Lingrell be thanked for her informative presentation.

(2) That the presentation slides be circulated to Forum Members after the meeting for information.

ACTION:- Clerk

56. THE SCHOOL INFORMATION (ENGLAND) REGULATIONS 2020 - FINANCIAL TRANSPARENCY OF MAINTAINED SCHOOLS AND ACADEMY TRUSTS

Vera Njelic, Schools' Finance, introduced the report which provided details of how in 2019 the Department for Education ran a consultation entitled "Financial transparency of local authority maintained schools and academy trusts" and began implementing the proposals as per the Government response.

Further to the consultation, proposals would be implemented as of 1st January, 2021 and would include, amongst others, the DfE publishing names of Local Authorities on gov.uk if they failed to comply with deadlines for returns to the Department.

The DfE would also collect the number of schools with suspended budgets and notices of financial concern through the existing DSG assurance statement signed by the LA Chief Financial Officer (CFO) at the end of the financial year (due September 2021). A new section would be added to the DSG assurance statement that captured the amounts that Local Authorities have recovered from investigating fraud. (September 2021)

A directed revision would be made to Local Authorities schemes for financing schools to make it a requirement for maintained schools to provide them with three-year budget forecasts (starting in 2021/2022) and schools would, therefore, be required to append a list of Related Party Transactions (RPTs) to their response to the question in the Schools Financial Value Standard (SFVS) about their arrangements for managing RPTs.

There would also be a directed revision to LAs' schemes for financing schools, requiring schools to submit a recovery plan to their maintaining authority when their deficit rose above 5%.

The DfE would formalise the approach to working with Local Authorities and include a request at any time during the year for high level action plans.

Under the New Burdens Policy, the Department would compensate Local Authorities for the additional burden that these changes would impose and during 2021-22 through a direct grant to each one, in proportion to the number of maintained schools in that area. An update would be provided to all maintained schools.

Agreed:- That the report be received, the contents noted and for all information to be shared with school/academies represented by Schools' Forum Members.

ACTION:- ALL

57. SCHEME FOR FINANCING LOCAL AUTHORITY MAINTAINED SCHOOLS

The details covering this agenda formed part of the discussion as part of the report above.

58. FALLING ROLLS FUND

Neil Hardwick, Head of Finance for Children and Young People's Service, introduced the report which provided information on the operational guidance on falling roles funding.

This funding if approved by Schools Forum after consultation with schools allowed Local Authorities to set aside schools block funding. The fund to support good and outstanding schools with falling rolls, where local planning data showed that the surplus places would be needed within the next three financial years.

The Falling Rolls Funds is ring-fenced and operated in a similar way to the Growth Fund, in the sense that both maintained schools and academies are top sliced for the cost of the Fund and both were eligible to receive support through it.

Criteria for allocating falling rolls funding should contain clear objective trigger points for qualification and a clear formula for calculating allocations.

Discussion ensued on the rationale and validation of the criteria and eligibility of schools and how legitimate approval checks would be made. Guidance on the Fund would be circulated and form part of the consultation.

It was suggested that as part of the consultation on how this Fund could be established, a Sub-Group be arranged and the details shared further.

Agreed:- (1) That the report be received, the contents noted and for all information to be shared with school/academies represented by Schools' Forum Members.

(2) That a Sub-Group be arranged and the Fund on how it could be established and operated in Rotherham be considered.

ACTION:- ALL/Vera Njestic

59. PRIOR ATTAINMENT - FUNDING FORMULA FACTOR

Vera Njestic, Schools' Finance, introduced the briefing note which provided some guidance and definition of the funding formula factor for prior attainment at both primary and secondary level.

Since 2017 to 2018, the DfE have weighted the low prior attainment factor for some secondary year groups so that those who have sat the more challenging KS2 tests introduced in the 2015 to 2016 academic year did not have a disproportionate influence within the total for the prior attainment factor in the mainstream formula.

In 2020 to 2021, the weightings used in 2019 to 2020 for the year 7 to year 9 cohorts have been carried forward, so they will apply to the year 8 to year 10 cohorts respectively.

For the financial year 2020 to 2021, the weightings were:-

- pupils in year 8 in October 2019: 64%
- pupils in year 9 in October 2019: 58%
- pupils in year 10 in October 2019: 48%

This was included under Schedule 3, Paragraph 4 of the 2020 Regulations.

Agreed:- That the report be received and the contents noted.

ACTION:- ALL

60. ANY OTHER BUSINESS

- (a) Future nominations for Chair and Vice-Chair of the Rotherham Schools' Forum

The Clerk advised Forum Members of the forthcoming election for Chair and Vice-Chair at the November, 2020 meeting.

It was suggested that consideration could be given to extending the current Chair and Vice-Chair positions for a temporary period given the current position with the Covid-19 pandemic and the virtual arrangements currently in place.

Decisions on the Chair and Vice-Chair positions would be confirmed at the next meeting.

61. DATE OF NEXT MEETING

Agreed:- That the next meeting of Rotherham Schools' Forum take place on Friday, 20th November, 2020 at 8.30 a.m. and that it be on a virtual basis unless otherwise indicated.



Dear Director

We are writing on behalf of all employees working in your local authority area who are members of NAHT, ASCL and the National Education Union (NEU).

You will recall that, last year, local schools decided through your Schools Forum to delegate funding for supply cover costs, which included funding for trade union facilities time. We were disappointed with this decision – it is at odds with the overwhelming majority of local authorities in England and the advice issued by the Local Government Association and National Employers' Organisation for School Teachers.

Discussions are now taking place in your authority on funding arrangements for supply cover costs from April next year and we are asking you to support the view taken by the vast majority of other Schools Forums that funding for trade union facilities time should be retained at local authority level through de-delegation.

Successive governments have recognised the importance of good industrial relations and have legislated to provide a statutory basis for facilities time as follows:

- Paid time off for union representatives to accompany a worker to a disciplinary or grievance hearing.
- Paid time off for union representatives to carry out trade union duties.
- Paid time off for union representatives to attend union training.
- Paid time off for union 'learning reps' to carry out relevant learning activities.
- Paid time for union health and safety reps paid time during working hours to carry out health and safety functions.

These provisions are contained within the Employment Relations Act 1999, the Trade Union Labour Relations (Consolidation) Act 1992, and the Safety Representatives and Safety Committees Regulations 1977.

De-delegation of funding to compensate schools for the cost of providing this facilities time will help maintain a coherent industrial relations environment where issues and concerns whether individual or collective can be dealt with more effectively. In other local authorities, de-delegation of this funding has allowed trade union representatives who understand the local context to continue to deal with issues arising within schools, without necessarily being a member of staff of the particular school. It has also allowed experienced trade union representatives to seek to resolve problems at an early stage, often informally. Well organised trade union representation has helped to support morale, reduce staff turnover and lower recruitment costs.

We believe that co-operation and co-ordination between schools on these matters assists school leaders and governors in arranging the trade union representation to which staff are entitled.

Irrespective of the funding arrangement, our chosen representatives are still entitled to be released to represent our members. Each employer is still required to consult and negotiate separately with trade unions on employment procedures. Without a central pool of funding, each employer is required to negotiate, fund and manage separate arrangements for trade union facilities and time off with pay for each trade union with membership at the school. And

without a central pool all schools face paying the costs of having to release trade union representatives from each union at the school to undertake their trade union duties and attend relevant union training in order to perform the role effectively.

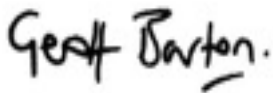
Further, despite having delegated the funding to schools, the local authority retains the statutory duty to ensure paid release for trade union officers to carry out their trade union duties in respect of its employees. We expect our officers to be released from maintained schools as and when necessary to exercise their statutory rights. The funding delegated to a single school is not sufficient to meet the cost of releasing a local officer for their trade union duties, for example to allow them to negotiate with the local authority on the terms and conditions of teachers in the maintained schools within the authority. The local authority is therefore required to refund the school the release time or it will need to explain to the school that it must release our officers whether it is reimbursed or not.

We believe that co-operation and co-ordination between schools on these matters assists school leaders and governors to cost-effectively arrange the trade union representation to which staff are entitled.

All these arguments regarding cost-effectiveness and efficiency are echoed in the advice issued by the LGA and NEOST.

We hope that you will now reflect that your local authority should establish a central pool to cover staffing costs for trade union facility time and other civic responsibilities (including service as a magistrate and jury service), and accordingly that you will pass this information on to Schools Forum members advising them to vote for de-delegation.

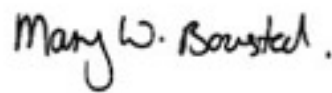
Yours sincerely



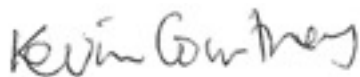
**General Secretary
ASCL**



**General Secretary
NAHT**



**Joint General Secretary
NEU**



**Joint General Secretary
NEU**

BRIEFING PAPER FOR SCHOOLS FORUM

1.	Date of meeting:	20th November 2020
2.	Title:	School Funding Formula 2021/22 Consultation outcome
3.	Directorate:	Finance and Customer Services

1. PURPOSE OF THE REPORT

To set out the indicative proposals and seek decisions (where needed) for two areas of the Dedicated Schools Grant for 2021/22;

- Schools block
- Central schools services block

2. RECOMMENDATION(S)

2.1 That members of Schools Forum note the content of the report.

2.2 That votes are undertaken with the appropriate members of Schools Forum to agree the school & academy local funding formula for 2021/22 for submission to the ESFA January 2021.

3. REASON FOR RECOMMENDATION(S)

To ensure compliance with the School & Early Years Finance (England) Regulations 2017.

4. BACKGROUND INFORMATION

4.1 As a result of the government's intention to implement a national funding formula for school & high needs funding allocations; 2021/22 represents the fourth year of the governments planned transition towards these proposals.

4.2 To comply with the ESFA operational guidance, local authorities are required to consult with schools, academies & Schools Forum in respect of planned changes to the local funding formula including the method, principals and rules that are to be adopted. The final decisions in respect of the local formula remain with the local authority.

Schools Forum are required to decide upon specific elements in accordance with the powers & responsibilities assigned to Schools Forum by the ESFA. In order to agree this, Schools Forum will need to vote on a number of proposals which are set out in this report. The proposals are based on the consultation responses received from individual schools & academies (see detail in appendices A and B).

Forum members are reminded that, in accordance with the regulations, only certain members are allowed to participate in a vote regarding the local funding formula. Other members that do not represent schools i.e. Union /Post-16 representatives can engage and participate in discussions but are not eligible to vote.

5. CONSULTATION PROCESS

5.1 Schools block funding formula 2021/22

The following activities have taken place in respect of the consultation on the schools block and central schools services block;

- Consultation document was issued via e-mail on Tuesday 3rd November 2020 to all mainstream schools and academies.
- The consultation closed on Tuesday 17th November 2020.

5.2 Responses

Below is a table showing the responses to the 2021/2022 consultation. Further detail can be found in appendix A and B to this report.

	Maintained schools	Academies	Total
Primary	7	32	39
Secondary	1	13	14
Total (& % response rate)	8 (32%)	45 (47%)	53 (48%)

6. School block funding formula

6.1 Transition to a national funding formula

There are changes proposed both in terms of the formula factors being used and the individual rates that will be applied to those factors. Nationally, the ESFA have looked to reduce basic entitlement and increase those payable under additional educational needs (particularly low attainment).

Last year the local authority suggested that the future years should be used as a transition to the national funding formula and where possible seek to change local factors/rates to bring them in line with the national ones as this would provide for the best possible transition to the national formula. This was a view that was supported within Schools Forum.

This is therefore the strategy that Rotherham has adopted.

To ensure schools and academies are in receipt of the indicative increase in the 2021/22 LA's schools block allocation of £6.556m (3% year on year increase) the local authority is aiming to increase the MFG to between +1.0% and +2.00%.

Question 1 consulted upon prioritising an increase to the MFG and the response was overwhelmingly in favour of this approach being adopted with 100% of respondents agreeing.

Required action:

Eligible Schools Forum members are to vote on whether the proposal to increase the MFG to between +1% and + 2.00% should be agreed.

6.2 High Needs - funding transfer from the schools block.

Rotherham continues to experience pressures on its High Needs budget which is a trend that is being experienced nationally, mainly due to the increasing EHCP numbers / exclusions / cost of out of authority SEN placements. In addition, the increasing number of pupils in mainstream schools with EHCP plans requiring support, some with complex needs, continues to rise. An in year deficit of £1.4m is currently forecast for 2020-21, which will increase the overall DSG deficit of £19.9m held in reserve to £21.3m.

A provisional 2021/22 individual schools budget baseline was included in the consultation and took into account continuing the 1.5% (£3.0m) funding transfer from the schools block allocation. The transfer request will be the same as in 2020/21 and therefore will have no adverse impact on the 3.0% anticipated year on year increase in the 2021/22 Schools Block allocation. As a consequence all schools will see an increase in their funding allocation compared to 2020/21 due to the overall increase in the 2021/22 Schools Block, with all the new funding being passported to schools.

Question 2 requested a transfer of 1.5% from the schools block to support the high needs block and 81% of respondents agreed to the transfer. Of the 53 respondents, 43 (81%) responded in favour of this, 10 (19%) voted no

Question 3 asked schools for suggestions on how the financial pressures in the high needs block could best be addressed? Please refer to Appendix E.

Required action:

Eligible Schools Forum members are to vote on whether the proposal to transfer 1.5% should be agreed.

6.3 Top-slicing arrangements (impacting all mainstream schools & academies)

Pupil Growth

In accordance with Government requirements, the pupil growth fund is to meet basic need and will be for the benefit of both maintained schools and academies.

Under the current formula arrangements school & academy budgets are to be based on pupil numbers as at the October pupil census. If a school admission limit is increased from September 2021 due to expansion, interim financial support to bridge the gap is necessary to cover the period September to March (or September to August for academies).

If a growth fund is not established schools will have to meet the revenue costs of expansion from within their existing balances.

Feedback from consultation attached as Appendix D, Question 4, to this report suggests that schools & academies wish to continue with the establishment of a

pupil growth fund 92% (49 settings) responded in favour of this 2 (4%) replied no, and 2 did not complete Q4.

Required action:

Eligible Schools Forum members are to vote on whether the proposal to continue with a pupil growth fund of £280,000 should be agreed.

6.4 Falling Rolls

Local authorities may set aside schools block funding to create a **small fund** to support good schools with falling rolls, where local planning data shows that the surplus places will be needed within the next three financial years.

Schools forum agree both the value of the fund and the criteria for allocation and the local authority consults with schools forum before expenditure is incurred. As with the growth fund the falling rolls fund is within the NFF schools block.

Criteria for allocating falling rolls funding should contain clear objective trigger points for qualification and a clear formula for calculating allocations.

Feedback from consultation attached as Appendix D, Question 5, to this report suggests that schools & academies wish to establish a Falling Rolls fund. 42 (79%) agree and 11 (21%) do not.

Required action:

Eligible Schools Forum members are to vote on whether the proposal to provide a Falling Rolls Fund should be agreed.

De-delegation arrangements (impacting on all maintained schools)

The DfE guidance permits maintained schools only to de-delegate services through the formula. Each school contributes from its delegated budget share an amount per pupil.

Schools In Financial Difficulty Fund

The purpose of this fund is to provide support to the budgets of maintained primary schools where if not supported a school would be placed in a financially difficulty position that is likely to have a detrimental impact on outcomes for children.

Question 7 asked maintained primary schools if they wished to de-delegate monies to create a schools in financial difficulty fund. 86% (6) school wished to de-delegate whereas 14% (1) did not.

Required action:

Eligible Schools Forum members (primary maintained only) are to vote on whether to create a fund.

Trade Union Facilities Time

Allows trade unions to represent and consult with their members and with the school as their employer, as local branch trade union representatives are available. This is currently offered via a service level agreement to all schools and academies who may purchase if they wish.

Question 8 asked all maintained schools if they wished to de-delegate funds, once again, for trade union facilities time at £2.00 per pupil rather than buy back from the portfolio of services. 86% (6) school wished to de-delegate whereas 14% (1) did not.

Required action:

Eligible Schools Forum members (maintained only) are to vote on whether to de-delegate.

7. Central Schools Services Block

The CSSB brings together:

- Funding previously allocated through the retained duties element of the Education Services Grant (ESG)
- Funding for on-going central functions, such as admissions.

Centrally retained spend & retained duties

The Local Authority currently retains funding centrally in order to provide / meet the following services / costs

- Admissions Service
- Servicing of the Rotherham Schools Forum
- Central licences managed by the DfE
- Central education related services which the local authority retain on behalf of all pupils in the district irrespective of school/academy setting

Question 6 of the consultation asked if funding from this block could be retained for the services outlined above at the rates proposed in the consultation.

- Admissions Service - the amount proposed to be retained is £172,000
- Servicing of the Schools Forum – the amount proposed to be retained is £3,275
- Central licences managed by DfE – the indicative amount proposed is £264,828 (2020/21 amount plus 2.2%) although this amount is ultimately confirmed by the DfE

This would leave £762,815 to be centrally retained to cover the duties that were previously funded by the Education Services Grant retained duties rate.

Of the 53 respondents, 51 (96%) responded in favour of this, 2 (4%) were unsure.

Required action:

Eligible Schools Forum members are to vote on whether the proposal to continue with the individual services is agreed and at the rates proposed in the consultation document and above.

2. Name and contact details

Neil Hardwick
Head of Finance (CYPS)
Tel: 01709 254508
email neil.hardwick@rotherham.gov.uk

Vera Njegic
Principal Finance Officer (Schools Finance)
Tel: 01709 822042
email vera.njegic@rotherham.gov.uk

Appendix A: Schools & academies who responded to the school consultation 2021/22

School/Academy name	Designation	Maintained or Academy	NOR (Oct 19 census)
Rawmarsh Rosehill	Primary	M	228
Herringthorpe Infants	Primary	M	268
Rawmarsh St Josephs	Primary	M	162
Pius Catholic High	Secondary	M	647
Anston Hillcrest	Primary	M	216
Meadowview	Primary	M	187
Ferham	Primary	M	192
Thurcroft Infants	Primary	M	195
Maltby St Mary's	Primary	A	170
Inspire Trust - Sitwell Juniors	Primary	A	313
WPT Aston Hall	Primary	A	209
WPT Aston Lodge	Primary	A	155
WPT Brinsworth Whitehill	Primary	A	251
WPT Rawmarsh Ashwood	Primary	A	201
WPT Monkwood Primary	Primary	A	391
WPT Sandhill Primary	Primary	A	235
WPT Thrybergh Primary	Primary	A	139
WPT Clifton Comp	Secondary	A	803
WPT Rawmarsh Comprehensive	Secondary	A	1,057
WPT Wickersley Comprehensive	Secondary	A	1,722
MLT – Maltby Comp	Secondary	A	944
MLT – Wath Comp	Secondary	A	1,499
MLT – Maltby Redwood	Primary	A	174
MLT – Maltby Lillyhall	Primary	A	398
MLT – Ravenfield Primary	Primary	A	187
MLT – Maltby Manor	Primary	A	356
Inspire Trust - Oakwood Comp	Secondary	A	1025
LEAP – Dinnington Comp	Secondary	A	826
LEAP – Brinsworth Comp	Secondary	A	1,300
Wales High School	Secondary	A	1550
JMAT – Brampton Ellis C of E	Primary	A	465
JMAT – Brampton Cortonwood	Primary	A	127
JMAT – Wath C of E	Primary	A	374
JMAT – Wath Victoria	Primary	A	273
JMAT – Laughton J & I	Primary	A	209
JMAT – Wath Central	Primary	A	403
JMAT – St Ann's	Primary	A	359
JMAT - Kiveton Park Meadows Junior	Primary	A	224
JMAT – Kiveton Park Infants	Primary	A	135
JMAT – Brinsworth Howarth	Primary	A	251
JMAT – Harthill	Primary	A	163
Thrybergh Academy & Sports *	Through	A	666
St Bernards	Secondary	A	724

DSAT Aston All Saint CofE	Primary	A	213
DSAT Kilnhurst St Thomas CofE	Primary	A	206
DSAT Laughton All Saints CofE	Primary	A	110
DSAT Flanderwell Primary	Primary	A	349
DSAT St Albans CofE Primary	Primary	A	212
DSAT Thrybergh Fullerton	Primary	A	146
DSAT Trinity Croft Cof E	Primary	A	165
DSAT Treeton Primary	Primary	A	300
LLMT Wingfield Academy	Secondary	A	791
LLMT Winterhill Academy	Secondary	A	1,038

*Counted as secondary for the purposes of analysis

	Total number of replies	Total Contacted	% of responses
Academy	45	95	47%
Maintained	8	25	32%
Total	53	110	48%

Question	Phase	Total number of responses	Yes	No	Unsure / no answer / more info
Question 1: Do you agree with the principle that Rotherham is adopting in terms of prioritising a continued increase to the MFG?	Primary	39	39		0
	Secondary	14	14		0
	Total	53	53	0	0
Question 2: Considering the borough as a whole and to ensure support for the most vulnerable children & young people in the district, do you support the LA's request to continue to transfer 1.5% from the schools block to the high needs block?	Primary	39	31	8	0
	Secondary	14	12	2	0
	Total	53	43	10	0
Question 3: Do you have any further suggestions on how the financial pressures in the high needs block can best be addressed?	N/A	N/A	N/A	N/A	N/A
Question 4: Do you agree that the Local Authority should continue to provide for a growth fund? It is estimated for 2021/22 a budget of £280,000 is required	Primary	39	39		0
	Secondary	14	10	2	2
	Total	53	49	2	2
Question 5: Do you agree that the local authority should provide for a falling rolls fund?	Primary	39	32	7	0
	Secondary	14	10	4	0
	Total	53	42	11	0
Question 6: Do you agree that funding from the central school services block can be held centrally for the services outlined above?	Primary	39	39		0
	Secondary	14	12		2
	Total	53	51	0	2

Question 7: Do maintained schools wish to de-delegate monies to create a Schools in Financial Difficulties contingency fund of £100k to support those schools with exceptional costs forcing them into a financial deficit position?	Primary	7	6	1	
	Secondary	N/A			
	Total	7	6	1	0

Question 8: Do maintained schools wish to de-delegate funds once again for trade unions (£2.00 per pupil), maintained school would no longer need to buy back from the Portfolio of services.	Primary	7	6	1	
	Secondary	n/a			
	Total	7	6	1	0

Appendix D: Comments made within the consultation response 2021/22

Question 1:

Yes we agree with the principle that Rotherham is adopting in terms of prioritising and continued increase to the MFG in order to safeguard smaller schools.

I accept in principle that a minimum funding guarantee is required to ensure that all schools have the minimum required funding to be operational. There is no argument with prioritising this during the transition to NFF.

Question 2:

Yes, we value the importance of supporting our most vulnerable children and young people and fully support the LA's request to continue to transfer 1.5% from the schools block to the high needs block.

We note the work being undertaken by the Borough to address this cost, including the investment in local provision and reduction in purchased services from third-party out-of-borough providers. We agree with the approach taking into account the above measures.

No. The funding should be distributed to schools as part of the Notional SEN budget. Schools can then target this funding to those pupils most in need. By reaching the children earlier they may not need to be referred on to specialist provision, thereby reducing the pressure on the high needs block.

Given that the authority currently uses a large proportion of the school block funding to top up the high need block and there is a growing need trend, I think we should support the continued allocation of a percentage of the funding. However, I would expect the 1.5% to be applied excluding funding made available for pension and pay grants, otherwise it has a detrimental impact on schools. Also, the current trajectory regarding EHCP plans and high needs provision alongside the recent high needs budget performance suggests that even with this contribution, it will not achieve the reduction in deficit trajectories. Therefore, I would want some assurances that there is a strategic plan in place to tackle this historical issue and prevent this large percentage contribution in future years. In addition, there needs to be clear lines of accountability against this particular budget head.

We would continue to want to see an in year budget being balanced (the deficit is the deficit and until we balance in-year we cannot attack that overall historical deficit)

Question 4:

Yes, it is important that those schools with increasing numbers are able to access funding to support increase student just as it is for those schools with declining numbers protected by MFG.

We note this is delivered through a ring-fenced grant. Perhaps further details of the awards in the prior year would help in readily appreciating these investments.

Yes, this is required to enable schools to build capacity without it creating financial difficulties for growing/successful schools that are funded on lag numbers. However, strict criteria on the funding should be implemented to prevent unnecessary costs being incurred. A non-negotiable for all schools accessing growth funding should be the use of curriculum led financial planning (CLFP) to secure a clear understanding of need.

Question 5:

No we do not agree the LA providing funding for outstanding or good schools with falling numbers. However if this was a fairer system and included inadequate and RI schools then perhaps yes.

We would welcome further details on the awarded funds in prior years to readily appreciate this expense.

Agree as an absolute short-term measure, there needs to be strict financial parameters to prevent the funding of inefficient school operations as opposed to genuine funding needs. This should only be completed for a maximum number of years, to prevent funding to continue despite future community capacity projections not occurring in line with expectations. Again, the use of CLFP should be a requirement for this.

Yes - as long as it is, as suggested, to offer support when schools are reasonably projected to re-grow.

Yes - with a caveat that each individual school is looked separately and discussed at Schools Forum

Question 6:

Yes we agree that funding from the central school service block should be retained centrally to cover admissions service, schools forum and central licences. We feel the funding should also include admission appeals rather than be charged separately for these.

For future consultations, please can you advise how these service elements and functions compare under the Best Value/Comparable performance indicators with other authorities. The Trust purchases those admissions service elements which do not have to be provided through the Central School Services, and assumes no monies are retained which would 'duplicate' this cost to our academies if retained by the authority. Can you confirm no such retention takes place?

I support this approach and recognise the value of the services provided.

Agreed – but not convinced by the School Improvement Role – shouldn't that be solely brokered?

Appendix E: Suggestions on how the financial pressures in the high needs block can best be addressed.

RMBC should provide a true breakdown high needs block accounts so that we can see what the shortfall is. Also provide indicative budgets showing projections if % contributions were increased. How would this affect school budgets and High Needs Funding per pupil?

We will continue to work with the Borough in delivering high-needs support, as has been the case in agreeing our MLD capital build in the current financial year.

We would suggest more investment in pre EHCP provision for those children on the EHCP assessment pathways rather than transferring 1.5% from the Schools Block.

If, however, the 1.5% is taken from the high needs block to the schools block, could we use this to increase the % of Element 2 (Notional SEND budget allocation) in all schools? Alternatively use the 1.5% to increase the % of Element 2 (Notional SEND budget allocation) in for those schools that have a % of SEND that tracks significantly above national figures and has done for an agreed period of time. The % above national and length of time could be determined by Schools Forum.

As per Growing Schools Funding it could be that we keep the 1.5% within the Schools Block, but ring-fence it for schools to apply for additional funding to support disproportionate SEND growth. This approach would ensure that only those schools with substantial additional pressure were eligible to access the funding. This could be considered as a Graduated Response Annual Payment (GRAP) and would be limited to 3 terms, before re-application requests had to made by each school that had accessed it.

These options could lead to a more pro-active approach to supporting children ahead of EHCPs and could lead to fewer children requiring an EHCP assessment and therefore reduce the financial pressures on the High Needs Block, as fewer ECHPs may need issuing.

We would also advocate using the 1.5% towards activities that 'reduce exclusion', as this is currently both a key concern for all schools across the LA and at significant cost, particularly when pupils have to access alternative provision. The support currently in place for schools to manage pupils at risk of PX is in need of further investment and is currently not yet fit for purpose, in order to have the level of impact which would result in savings made in the long term.

A more joined up local/regional approach to specialist provision for high needs children, including the consideration of a more diverse specialist provision with the potential opening of LA supported specialist 'free schools'. This would hopefully

reduce the use of high cost third party external provisioning in the medium to long term. In addition, we need to continue to direct resources to support specialist centres/units based in schools with the ambition of supporting learners back into mainstream schooling.

As is being trialled – further investment in Rotherham based (funded and managed) solutions, rather than using private and beyond the LA resources at high cost. Proactive strategic planning, focusing on the projected need to ensure less reaction which usually costs .

Offering more places at specialist schools to release the burden and funding shortfall on mainstream and outside of authority provision.

Not in the short term. However, as the LA plans to do, looking at long term investment into improvements in resources locally would lead to a long term reduction in the financial pressures.

Capital investment to increase available places in the borough. Also, the potential to utilise mainstream schools that are significantly under capacity due to falling birth rates etc.