

**ROTHERHAM SCHOOLS' FORUM
FRIDAY 16 APRIL 2021**

Present:- Deborah Ball (Chair of Rotherham Schools Forum) (in the Chair);
Councillors

Angela Acomb, Lianne Camaish (Schools Member of Rotherham Schools Forum), John Coleman, Dom Curran (Schools Member of Rotherham Schools Forum), Pepe Di'lasio, Andy Krabbendam (Schools Member of Rotherham Schools Forum), David Naisbitt (Schools Member of Rotherham Schools Forum), Lynn Pepper (Schools Member of Rotherham Schools Forum), Steve Rhodes (Schools Member of Rotherham Schools Forum), Alan Richards (Schools Member of Rotherham Schools Forum), Paul Silvester (Schools Member of Rotherham Schools Forum), Sharon Stones, Nevine Towers (Non-Schools Member of Rotherham Schools) and Councillor Gordon Watson (Deputy Leader of the Council and Cabinet Member for Children's Services & Neighbourhood Working).

Neil Hardwick (Head of Finance - Children and Young People's Services), Vera Njegic (Principal Finance Officer - Children and Young People's Services) and Dean Fenton

87. WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to today's virtual meeting and introductions were made.

88. DECLARATIONS OF INTEREST

There were no declarations of interest to report.

89. MINUTES OF THE PREVIOUS MEETING HELD ON 15TH JANUARY, 2021

Consideration was given to the minutes of the previous meeting held on 15th January, 2021.

Agreed:- That the minutes of the last meeting held on 15th January, 2021, be approved as a true and accurate record.

90. MATTERS ARISING FROM PREVIOUS MINUTES

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

91. UPDATE ON DISAPPLICATION REQUEST

Consideration was given to an update by Neil Hardwick, Head of Schools' Finance, following the submission of the Disapplication Request to the Secretary of State on the 11th February, 2021.

The request sought approval to transfer 1.5% of schools funding to the High Needs Block.

As a further update it was reported that as part of the DSG Recovery Plan a meeting was to be arranged to take place on the 13th May, 2021 looking at how Rotherham would progress the plan over this and future years.

The update was welcomed as was the suggestion of whether it would add value for a member of the Schools' Forum to be included in the meeting to promote the joined up working arrangements was also discussed.

Service representatives would seek further guidance on the proposal and advise if appropriate.

Agreed:- (1) That the update be received and the contents noted.

(2) That further guidance be sought on the appropriateness of a member of the Schools' Forum attending the meeting on the DSG Recovery Plan on the 13th May, 2021.

Action:- Neil Hardwick/ Vera Njelic

92. HIGH NEEDS BLOCK (HNB) FUNDING CONSULTATION

Neil Hardwick, Head of School's Finance, introduced the consultation document from the DfE relating to the review of the national funding formula for allocations of high needs funding to local authorities and the changes for 2022-23 launched on the 10th February, 2021.

Responses were invited to specific proposals for a small number of changes to the national funding formula used to allocate high needs funding to local authorities in the 2022-23 financial year. Views were also being sought on some of the longer term changes to the formula that could be considered in future, which were set out detail as part of the consultation document.

Agreed:- That the consultation document be received and noted.

93. UPDATE ON 2021/22 HNB OPERATIONAL GUIDANCE

Consideration was given to the report introduced by Neil Hardwick, Head of Finance, which built upon previous reports to Schools Forum setting out the main changes to the High Needs Operational Guidance and proposed recommendations to ensure compliance and financial sustainability.

Whilst it was noted the national funding formula and underpinning

operational processes and principles remained largely unchanged from 2020 to 2021, the ESFA have clarified certain aspects of this guidance, particularly relating to the sections on place and top-up funding obligations.

Specific details were provided on Place Funding allocations and on what basis and further clarity on the adjustments for the commissioning and providing authorities.

It was also pointed out that the ESFA funded centrally funded institutions on a lagged basis. This meant students or pupils who attended an institution in any given year would be funded on a lagged basis in the following year. Therefore, centrally funded institutions should not seek to secure any additional place funding from any local authority to avoid a situation where a local authority effectively funded a place twice.

Reference was also made to the principles of top-up funding, teachers' pay and pensions and how for 2021 to 2022 the teachers' pay grant (TPG) and teachers' pension employer contribution grant (TPECG) have been included within the high needs national funding formula.

Discussion ensued on the potential confusion that may arise particularly in relation to ESFA funding centrally funded institutions on a lagged basis and it was pointed out this was in relation to special schools only for those children commissioned outside the area and whether there was any merit in a further discussion to ensure relevant schools were consulted appropriately.

It was noted schools were not adversely affected and there was no detriment to mainstream schools. Whilst it was suggested a meeting would be helpful and provide more clarity the operational guidance would be raised with special school heads to ensure they were aware of the content.

Agreed:- (1) That the changes to the 2021/ 22 High Needs Operational Guidance be noted.

(2) That the recommendations to award place funding on a lagged basis for maintained and academy specialist provisions in order to apply a consistent approach with SPI and non-maintained special schools (NMSS), as outlined in the guidance, be supported.

(3) That the operational guidance be circulated to the Special Schools Heads Group.

Action:- Neil Hardwick/ Vera Njelic

94. SCHOOL FORUM SUB-GROUP

The Chair welcomed Jackie Ross, Interim Head of SEND, who was to give a presentation on the High Needs Sub-Group Terms of Reference and the challenges to be worked upon in partnership.

The presentation, a copy of which would be circulated to Forum Members after the meeting, drew attention to:-

- Purpose – A structured form for head teachers and school governors to work in partnership with the Local Authority in specific areas.
- Getting the balance right and a flexible range of provision.
- Responsibilities of the Sub-Committee and membership.
- Roles of the various sectors.
- Strategic challenges that the Sub-Committee could help tackle.
- Challenge and ensuring robust arrangements for the allocation of top-up funding.
- Challenge and establishing the arrangements to agree the cost of additional special provision where student numbers exceed funded places.
- Ensuring agreement and approaches.
- Consideration of a banded system.
- Establish lines of enquiry from the High Needs Benchmarking Tool.
- Data Comparisons from the DSG Template across Moderate Learning Difficulties, SEMH Needs, Speech, Language and Communication Needs and placements with pupils with the most complex needs, place funding lines of enquiry, top-up funding lines of enquiry, needs for placements and the current “as is” position.
- Using assets to help more children and young people to access local provision.

The Forum welcomed the presentation and looked forward to exploring this in more detail, particularly how this would intrinsically link with the ESFA key funding areas making this strongly accountable.

Clarification was sought on the DSG Template data. Further information would be collated and this would then be shared within the Sub-Committee. A meeting would be convened and invitations distributed to a wider range of sector representatives.

The importance of upskilling members of the Schools Forum was considered essential along with signposting to key material and training tools.

Agreed:- (1) That Jackie Ross be thanked for her very informative presentation; a copy of which would be circulated to all Forum Members.

(2) That a sub-committee be convened at the earliest opportunity.

Action:- Vera Njelic

95. CHARGING PROPOSAL - EXCLUSIONS/OFF ROLL

Consideration was given to a report presented by Neil Hardwick, Head of Finance, which sought agreement for the proposed changes to determine the funding adjustments for permanent exclusions, pupils who remained on school roll and access off-site provision and funding for managed moves.

It was highlighted that where a pupil was excluded from school, DfE regulations required that funding was removed from the school by the local authority from the sixth day following the date of permanent exclusion.

Currently the deduction made to the school's budget was calculated using the basic entitlement pupil led funding (the age-weighted pupil unit AWPU) and other pupil-led factors that the school received, together with any pupil premium that the excluded pupil attracted. These amounts were multiplied by the proportion of the local authority financial year remaining after the exclusion, measured in weeks (i.e. the period from six days after the permanent exclusion until 31st March.

The mechanism also applied to pupils who left mainstream schools and academies for reasons other than permanent exclusion and were receiving education funded by the local authority other than at school. The deduction rate would be applied on a pro-rata basis i.e. the charge will reflect the number of days the pupil is educated off-site by the LA.

To determine each pupil's individual funding allocation could be time consuming, as it would require investigation into each of the pupil-led funding factors where they met the eligibility criteria.

This process created delays in the raising of the funding adjustments and to avoid this and produce a more timely funding adjusted it was proposed to move to an average per pupil allocation linked to their school.

The Forum welcomed this being put into useful context and make the process more simplistic and was not any way disingenuous to schools.

Agreed:- (1) That the move to an average cost per pupil of the school related to the exclusion, or where pupils are educated off-site be approved.

(2) That where a school had agreed to take a pupil on a managed move, funding would also be based on the average per pupil allocation from the young person's original school.

96. PROPOSED USE OF CENTRAL BLOCK RESERVES

Consideration was given to a report presented by Vera Njelic, Principal Officer, Schools' Finance, which sought approval to transfer £125,640 of Central Block reserve funding to the High Needs Block.

The reason for the request was provided which, following a year-end reconciliation exercise of the overall DSG, a figure of £125,640 was identified. It was proposed this be transferred to the High Needs Block in view of its significant budget pressures.

Transfers between the Central School Services Block and High Needs block were not subject to any limit and could be made in consultation with the Schools' Forum.

Forum Members sought assurance that this sum could not be used more effectively in other areas, what it could be used for and where it would sit if it was not transferred and were advised accordingly.

Agreed:- That the Authority's proposal to transfer the Central Block reserve to the High Needs Block be approved.

97. ALTERNATIVE PROVISION UPDATE

The Chair invited Nathan Health, Assistant Director of Education, to give an update presentation on the Rotherham Inclusion Review (ISOS).

The presentation drew attention to:-

- Details of the Review.
- Strong work to move from a report to actualisation.
- RMBC CYPS transformational priority with report findings embedded in Transformation plan.
- School led response to implementation with continued strong engagement with school leaders in driving implementation.
- Key areas of focus including the recruitment of Strategic Lead for Alternative Provision which was finalised in March 21.
- Planning to embed new approach across 21/22 academic year.
- Rotherham Inclusion steering group have looked at financial model going forward with recommendations outlined for funding movements, future areas of focus including partnership funding and forward planning for key stages of development of system wide approach.
- Operational guidance to be drafted by end of April.
- Area wide inclusion panels need to have expert view from across the multi – agency system which commits to a whole

system ownership of school exclusion.

- Key decision makers from across the partnership committing time and expertise to drive collective ownership of Rotherham Inclusion Model.
- Further sessions in summer term planned to update school leaders on progress of implementation of Rotherham approach.

Forum Members welcomed the progress made to date and sought confirmation of intended timeframes of moving the approach forwards.

Agreed:- That Nathan Heath be thanked for his very informative presentation and the contents noted.

98. SEND SUFFICIENCY PHASE 3 UPDATE

The Chair invited Nathan Heath, Assistant Director for Education, to give an update on the SEND Sufficiency Phase 3 and by way of a presentation this provided:-

- Phase 2 focused on opening resource units linked to mainstream schools to create capacity across key areas of SEND.
- A number of provisions from phase 2 are operational and having positive impacts for students.
- Other provisions linked to phase 2 will start supporting students across this academic year or within 21-22 academic year.
- Phase 3 focuses on SEMH Free School at Dinnington with application process closed and selection process open.
- SEND Sufficiency Phase 2 – Progress.
- 2021/2022 – Academic year to have all phase 2/3 fully operational and supporting students.
- Future SEND capital funding investments to have strong consideration around developing mainstream capacity.
- SEND Sufficiency Needs Assessment to be refreshed to provide up to date analysis of SEND system, emerging areas of pressure and key areas of development which will be shared with Forum for consideration.

Forum Members welcomed this update and suggested that viewing of the provision be arranged.

Agreed:- That Nathan Heath be thanked for his very informative presentation and the contents noted.

99. ANY OTHER BUSINESS

The following items of business were considered: -

(a) Nominations for Chair and Vice-Chair

The Chair asked Forum Members to consider the future arrangements for the Schools Forum and the nominations for Chair and Vice-Chair.

Forum Members were asked if they wished to nominate people for the positions at the June meeting to commence chairing meetings at the start of the new academic year in September, or to nominate and vote on persons in September to immediately take up the Chair at that meeting.

It was noted the regulations allowed for the Chair and Vice-Chair to be nominated for a period of up to four years, but this must not exceed their term of office.

Should there be a wish for the current arrangements to continue for a further two years for Chair and Vice-Chair then could Forum Members communicate this via the Clerk.

(b) Membership and Filling of Vacancies.

Rotherham Schools' Forum had a number of vacancies in the primary sectors for both maintained and academies, a secondary academy head, a maintained primary governor, several academy governors, PVI nursery representative and another union representative.

The Clerk was currently liaising with the Assistant Director for Education on how best for this detail to be circulated amongst relevant bodies and for them to nominate from the relevant sectors.

Forum Members were also asked to share amongst their colleagues and to make contact via the Clerk with any nominations for approval.

(c) Trade Union Recognition and Release Time

Diane Fletcher, Regional Officer from the NEU, asked Forum Members to recognise the value of Trade Union involvement in schools and to join up and discuss the current arrangements. Work was taking place with Human Resources in this area.

Rotherham did not appear to be on an equal footing with release time as other areas across the country and in many places Trade Union representation was also provided for on the Schools' Forum. A request was made for this to be extended in Rotherham to the NEU.

Forum Members welcomed the value of Trades Unions in schools and found their use effective.

It was, therefore, suggested that consideration be given to this matter further and that an item be placed on the agenda for the next Forum meeting in June, 2021 with a suggested inclusion of teaching Trade Union involvement on the membership.

Agreed:- That the items proposed be considered in due course.

100. DATES AND TIMES OF NEXT AND FUTURE MEETINGS

Consideration was given to the next meeting of the Rotherham Schools Forum which would take place on Friday, 25th June, 2021 at 8.30 a.m.

It was noted the regulations had been altered to confirm Schools Forums could, if they so wished, continue to meet virtually. It was, therefore, suggested the next meeting take place virtually.

In agreeing the date the dates for future meetings were also included on the agenda.

Agreed:- (1) That the next meeting of the Schools' Forum take place on a virtual basis on Friday, 25th June, 2021 at 8.30 a.m.

(2) That the dates of the meetings of the Schools' Forum for the next municipal year take place at 8.30 a.m. on:-

Friday, 17th September, 2021

Friday, 19th November, 2021

Friday, 21st January, 2022

Friday, 8th April, 2022

Friday, 24th June, 2022

The most appropriate venue will be considered in due course.