

Rotherham Schools' Forum

**Venue: Rockingham Professional Development Centre
(In Person)** **Date: Friday 23 September 2022**

Time: 8.30 a.m.

A G E N D A

1. Welcome and Introductions

Welcome and introductions by all Forum Members present.

2. Appointment of Chair

To receive nominations and agree a new Chair of the Schools Forum.

3. Appointment of Vice-Chair

To receive nominations and agree a new Vice-Chair of the Schools Forum.

4. Apologies for Absence

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

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 held on 24th June, 2022 (Pages 5 - 9)

Recommendation:- To receive and approve the minutes of the previous meeting held on 24th June, 2022.

7. Matters Arising from Previous Minutes

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

8. Membership and Constitution of the Rotherham Schools Forum (Pages 11 - 13)

Nathan Heath to report.

Recommendation:- To consider and approve the amendments/updates to the membership of the Rotherham Schools Forum.

9. School Forum High Needs Sub-Group

Nathan Heath to report.

Recommendation:- To consider and discuss details for the High Needs Sub-Group.

10. Update on High Needs Block (HNB) Operational Guidance 2023/24 (Pages 15 - 19)

Neil Hardwick to report.

Recommendation:- (1) To receive the report and note the changes to the 2023/24 High Needs Operational Guidance

(2) That the 3% Special Schools Minimum Funding Guarantee change and how Notional SEN budgets are calculated and when it might be appropriate to seek additional resources be noted.

11. SEMH School

Nathan Heath to report.

Recommendation:- That the update be received and the contents noted.

12. Outreach Services (New Secondary Outreach Service)

Kelly Crompton and Julie Day to report.

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

13. Safety Valve Intervention Programme

Nathan Heath and Neil Hardwick to report.

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

14. SEND Sufficiency Phase 4

Nathan Heath to report.

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

15. Education Safeguarding

Pam Ward to report.

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

16. Funding for Ukrainian Children

Neil Hardwick to report.

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

17. Free School Meals Update

Nathan Heath to report.

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

18. Any Other Business

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

19. Date of Next Meeting

Recommendation:- To consider and agree the date and time of the next meeting of the Rotherham Schools' Forum on Friday, 18th November, 2022 at 8.30 a.m. – venue to be confirmed.

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**ROTHERHAM SCHOOLS' FORUM
FRIDAY 24 JUNE 2022**

In attendance:-

Deborah Ball (Treeton Primary (Academy) (in the Chair);
Lianne Camaish, Aspire
Pepe Di'Lasio, Head of Wales (Academy)
Barbel Gale – Governance Manager, RMBC (Clerk and Minute Taker)
Neil Hardwick – Head of Finance, CYPS
Nathan Heath – Assistant Director of Education, CYPS
David Naisbitt – Oakwood High (Academy)
Vera Njegic - Principal Finance Officer, RMBC
Kirsty Peart - Sitwell Infant (Maintained)
Colin Price – NEU Representative
Alan Richards – Secondary Governor
Sharon Stones – Head of Arnold Nursery and Children's Centre
Nevine Towers – Diocese of Sheffield
Amy Woodhead – Early Help and Family Engagement, RMBC

41. WELCOME AND INTRODUCTIONS.

The Chair welcomed everyone to the meeting and introductions were made.

42. APOLOGIES FOR ABSENCE.

Apologies were received from:-

- Andy Krabbendam - Primary Academy representative
- Dom Curran – Aston (Academy)
- Angela McComb – Primary Maintained Governor
- Steve Scott - Private, Voluntary and Independent Sector Nursery representative
- Councillor Victoria Cusworth – Cabinet Member for CYPS
- Ian Henderson - H.R. Officer, RMBC

43. DECLARATIONS OF INTEREST.

There were none.

44. MINUTES OF THE PREVIOUS MEETING.

Consideration was given to the minutes from the previous meeting held on 8th April 2022.

Agreed:- That the minutes be approved.

45. MATTERS ARISING FROM PREVIOUS MINUTES.

There were no matters arising.

46. APPOINTMENT OF CHAIR (FROM SEPTEMBER, 2022)

Nominations are sought for the position of Chair of the Schools Forum to take up the role from the next academic year in September 2022.

No nominations were received, therefore, this item was deferred to the next meeting due to be held in September 2022.

47. APPOINTMENT OF VICE-CHAIR (FROM SEPTEMBER, 2022)

Nominations are sought for the position of Vice Chair of the Schools Forum to take up the role from the next academic year in September 2022.

No nominations were received, therefore, this item was deferred to the next meeting due to be held in September 2022.

48. SAFETY VALVE BUDGET MONITORING

Consideration was given to the report presented by Nathan Heath, Assistant Director of Education, CYPS and Neil Hardwick, Head of Finance, CYPS where it was explained that the Council was included within the Dedicated Schools Grant 'High Needs Safety Valve' arrangement. Positive progress was being made with targets on track in all areas. The Social, Emotional and Mental Health (SEMH) needs were highlighted to ensure any plans offered mitigations. A meeting of the High Needs Sub-Group would be called before the end of term to develop a strategy for moving forward.

The DSG central reserve deficit had been increased to £21.37m. This was taking account of other balances in other DSG funding blocks including the pressures on high needs expenditure. However, during 2021/22 Rotherham was approved to enter the DfE's Safety Valve programme and received funding of £8.53m, reducing the DSG Centre Reserve deficit to £12.84m.

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

49. SEMH FREE SCHOOL UPDATE

Consideration was given to the report presented by Nathan Heath, Assistant Director of Education, which confirmed that a pre-Ofsted inspection had taken place on the site at Dinnington.

Work would be undertaken with the Department for Education (DfE) and

the Academy Trust to ensure that all H,R, and Financial systems were in place. Plans were also being developed to assist students transferring to the new site.

It was clarified that the final adaptations were being carried out and would be completed within the next couple of weeks.

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

50. SEND GREEN PAPER OVERVIEW

Consideration was given to the report presented by Nathan Heath, Assistant Director of Education, which detailed the views of stakeholders collated to feed into the Council's response to the Green Paper. It was also noted that the Council was being supported by the DfE in order to outline the intentions of the strategic Safety Valve paper ensuring those intentions were evident in the Council's response to the Green Paper.

It was also confirmed that the first draft of the response could be shared with the School's Forum, which would be a high-level overview including headlines from place-based reviews.

The Forum were also informed that the DfE had invited Neil Hardwick to be part of a working group where he would be able to input both his views and those of the Forum.

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

51. NATIONAL FUNDING FORMULA GOVERNMENT CONSULTATION RESPONSE

Consideration was given to the report presented by Neil Hardwick, Head of Finance, which provided an update on the National Funding Formula (NFF) Government Consultation Response along with the next steps. Sections 5.2 and 5.3 of the covering report outlined the main direction of travel, which indicated in respect of the transition to the direct NFF the response set out that from 2023/24 it was required that:-

- Local authorities to use all, and only, NFF factors in their local formulae.
- All local formulae factors to move at least 10% closer to the NFF, except where local formulae were already 'mirroring' the NFF.
- Local authorities to use the NFF definition for English as an Additional Language (EAL) factor.
- The approach to transition in subsequent years would depend on the impact in the first year.

It was also indicated that in respect of improvements to the schools NFF the DfE set out that over the next year they would:-

- Consult on an approach to the split sites factor and PFI factor.
- In the second stage consultation:
 - Include proposals for a revised growth and falling rolls factor – and in some options which would allow a degree of local flexibility
 - Include proposals for an exceptional circumstances factor.

It was clarified that Rotherham was already following the requirements listed in section 5.2 of the report.

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

(2) That Forum Members ensure they make the schools/academies that they represent aware of this information.

52. 2021/2022 OUTTURN AND 2022/2023 FUNDING

Consideration was given to the report presented by Neil Hardwick, Head of Finance, referring to the 2021/22 outturn position of the dedicated schools grant (DSG). It was highlighted that reserves within maintained schools had increased and the number of schools with a deficit had reduced. The academies were in a similar position.

It was also confirmed that information on the updated DSG provision including the High Needs Block would be provided in September 2022.

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

(2) That the centrally retained early years balance be subject to change as this will be dependent on the early years adjustment for the Spring 2022 census count. Within the figures, an anticipated increase of £75k has been accounted for.

53. HR UPDATE RE TEACHERS PAY FOR 2022/23 ACADEMIC YEAR

Consideration was given to the report presented by Neil Hardwick, Head of Finance, which provided an update regarding the 2022/23 Teachers pay uplift and the current national position. The proposals identified a potential two year pay award for Teachers leading to a significant two-year increase for schools' budgets.

A further update could be provided at the September meeting, but would need to be taken account of in any future budget projections.

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

54. HEALTHY ACTIVITIES AND FOOD PROGRAMME GRANT

The School's Forum received a presentation regarding the Holiday

Activities and Food Programme. The presentation detailed the aims for the programme along with the funding available. Information was provided as to which school could promote the Healthy Holidays programme together with the benefits of becoming involved.

It was clarified that any child listed on the Free School Meals entitlement list was eligible for the programme. The available grant funding had not yet been maximised so there were opportunities for more schools to become involved. Any remaining funding not used by the end of the programme would be returned to Government.

In response it was explained that if a child did not qualify through the Free School Meals entitlement, they could still be considered on a case-by-case basis.

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

55. ANY OTHER BUSINESS.

Members of the School's Forum considered aspects of the Forum's operation with the main points listed below:-

- Succession planning for the appointment of the new Chair and Vice-Chair would be discussed outside of the meeting.
- There was a consensus that holding the Forum meetings in person was more beneficial.
- The constitution and membership of the Forum would be re-visited.
- The role of the Forum would be promoted.
- The September meeting would be held at Rockingham.

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

(2) That arrangements be made for the next meeting to be held at Rockingham Professional Development Centre.

56. DATE OF NEXT MEETINGS

Agreed:- (1) That the next meeting of the Schools' Forum take place on a virtual basis on Friday, 16th September, 2022 at 8.30 a.m. at Rockingham Professional Development Centre.

(2) That the dates of future meetings of the Rotherham School Forum at 8.30 a.m. be noted:-

Friday, 18th November, 2022

Friday, 13th January, 2023

Friday, 28th April, 2023

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Rotherham Schools Forum: Constitution – Proposed from September, 2022

Position	Name	End of Term	School/Body	Comment
School Members				
Nursery School Head Teacher x 1	Sharon Stones	September, 2026	Head of School at Arnold Nursery School and Children's Centre	To update term of office and give full four years from September
Primary School Head Teachers x 3	Vacancy			
	Mark Windle	September, 2026	Head Teacher of Badsley Primary	To approve inclusion
	Kirsty Peart	September, 2026	Head Teacher of Sitwell Infant	To update term of office and give full four years from September
Primary Academy Representatives x 6	Deborah Ball	September, 2026	Head Teacher of Treeton C of E Primary	To update term of office and give full four years from September
	Andy Krabbendam	September, 2026	JMAT Trust	To update term of office and give full four years from September
	David Horrigan	September, 2026	Maltby Academy Trust	To approve inclusion
	Vacancy - pending			TBC
	Vacancy - pending			TBC
	Vacancy - pending			TBC
Special School Head Teacher x 1	Rachel Booth		Special School Head Teacher	To approve inclusion
Special Academy Representative x 1	Joel Hardwick	September, 2026	Nexus MAT Assistant CEO	To confirm who is to be approved
	Jane Foster		Ethos Academy Trust	
	Jane Clark		RCAT	
Secondary Academy Representatives x 6	Phil Davies	September, 2026	Head Teacher of Wingfield Academy	To update term of office and give full four years from September

	Dom Curran	September, 2026	Head Teacher of Aston Academy	To update term of office and give full four years from September
	Steve Rhodes	September, 2026	Head Teacher of Winterhill Academy	To update term of office and give full four years from September
	Pepe Di'Lasio	September, 2026	Head Teacher of Wales	To update term of office and give full four years from September
	David Naisbitt	September, 2026	CEO – Inspire Trust	To update term of office and give full four years from September
	Chris Eccles Dave Sutton	September, 2026	Head Teacher of Oakwood CEO – Maltby Academy Trust	To approve inclusion
Pupil Referral Unit Head Teacher x 1	Lianne Camaish	September, 2026	Head Teacher of Aspire	
Maintained School Members: Primary Governors x 3	Vacancy			
	Angela McComb	January 2024	Local Authority Governor – Anston Park Junior	
	Vacancy			
Academy Members: Governors x 6	Alan Richards	September, 2026	Wickersley School and Sports College	To update term of office and give full four years from September
	Alexandra Dudson	September, 2026	Oakwood Academy -	To approve inclusion
	Vacancy			
	Vacancy			
	Vacancy			
	Vacancy			
Non-School Members				

Diocese of Sheffield Church of England x 1	Nevine Towers	September, 2026	Diocese of Sheffield Academies Trust	To update term of office and give full four years from September
Diocese of Hallam, Roman Catholic x 1	Phillip Patterson	June, 2024	Diocese of Hallam	
Private, Voluntary and Independent Sector Nursery x 2	Steve Scott	September, 2026	Happy Kids	To update term of office and give full four years from September
	Vacancy			To seek another member
16-19 Provider x 1	Melanie Smith	September, 2026	RNN Group	To approve inclusion
Union Representatives x 2	Lewis Moat	September, 2026	GMB/Unison	To update term of office and give full four years from September
	Colin Price Substitute – Patricia Graham	June, 2025	NEU	
Observer				
Education Funding Agency	Name notified to School Governor Services in advance of attendance.	N/A	EFA	
Total Places	35			
Total Places Filled	17			
Total Vacancies	18			

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REPORT FOR SCHOOLS FORUM

1.	Date of meeting:	23rd September 2022
2.	Title:	Update on High Needs Block (HNB) Operational Guidance 2023/24
3.	Directorate:	Finance and Customer Services

1. PURPOSE OF REPORT

- 1.1 This report builds upon previous reports to Schools Forum setting out the main changes to the High Needs Operational Guidance and proposes recommendations to ensure compliance and financial sustainability

2. RECOMMENDATION(S)

- 2.1 That Schools Forum note the changes to the 2023/24 High Needs Operational Guidance
- 2.2 That Schools Forum note the 3% Special Schools Minimum Funding Guarantee change and how Notional SEN budgets are calculated and when it might be appropriate to seek additional resources.

3. BACKGROUND INFORMATION & CONTEXT

- 3.1 The minimum funding guarantee (MFG) protection for maintained special schools and special academies in 2023 to 2024 is set by a condition of grant that applies to local authorities' DSG. The ESFA recognises the current schools' cost pressures and has set a 3% MFG in 2023 2024.
- 3.2 Local authorities identify for each mainstream school a notional amount to guide schools in their spending to meet the costs of additional support for the school's pupils with special educational needs. Although this is an indicative amount, it is important that it is sufficient for the reasonable additional costs that may be incurred by schools. The operational guidance will help schools understand how the amount has been calculated and when it might be appropriate to seek additional resources.

4 CHANGES TO HIGH NEEDS 2023/24 OPERATIONAL GUIDANCE

Special Schools Minimum Funding Guarantee

- 4.1 Special schools 2023 to 2024 minimum funding guarantee (MFG) – for 2023 to 2024 this will be 3% over 2 years, based on a like-for-like comparison with a special school’s overall budget in 2021 to 2022. This takes into account the additional high needs funding that local authorities are receiving in 2022 to 2023 and 2023 to 2024, some of which is intended to help with the additional costs that schools are facing.

Notional SEN Budget

- 4.2 Mainstream maintained schools and academies (“schools”) are notified each year of a clearly identified but notional budget, within their overall budget allocation, towards the costs of fulfilling their duty to use their ‘best endeavours’ to secure that special educational provision for their pupils with SEN. Using funds from the schools block of the dedicated schools grant (DSG), local authorities are responsible for calculating the amount of this notional budget using their local mainstream schools funding formula factors.

The requirement to identify this budget for their schools is set out in regulation 11(3) of the [School and Early Years Finance \(England\) Regulations 2022](#) (which is similar to the equivalent regulation for previous years and which we intend will be included in the regulations for 2023 to 2024). That regulation says that “the local authority must identify within each budget share an amount calculated by reference to the requirements, factors and criteria specified in Part 3 [that is, the various elements of the local schools funding formula] which are relevant to pupils with special educational needs; such amount must be calculated using a threshold sum of £6,000 per pupil below which the school will be expected to meet the additional costs of pupils with special educational needs from its [annual] budget share

The notional SEN budget is not a budget that is separate from a school’s overall budget. It is an identified amount within a maintained school’s delegated budget share or an academy’s general annual grant. It is intended as a guide for a school’s spending decisions, and is neither a target nor a constraint on a school’s duty to use its ‘best endeavours’ to secure special provision for its pupils with SEN.

In discharging that responsibility, amongst other expectations set out in the SEND Code of Practice, mainstream schools are expected to:

- meet the costs of special educational provision for pupils identified as on SEN Support in accordance with the SEND Code of Practice; and
- contribute towards the costs of special educational provision for pupils with high needs (most of whom have education, health and care (EHC) plans),

up to the high needs cost threshold set by the regulations (currently £6,000 per pupil per annum). This cost threshold is calculated by reference to the additional costs of provision, above the costs of the basic provision for all pupils in the school. High needs top-up funding is provided above this threshold on a per-pupil basis by the local authority that commissions or agrees the placement.

It is important to note that the notional SEN budget is not intended to provide £6,000 for every pupil with SEN, as most such pupils' support will cost less than that. Nor is the notional SEN budget intended to provide a specific amount per pupil for those with lower additional support costs, even though the local authority may make reasonable assumptions about what those costs might be for the purpose of ensuring that their schools' notional SEN budget calculation is realistic.

In making assumptions about costs, it is important that local authorities are transparent in their assessment of what provision their mainstream schools should make as part of the local offer of provision for children with SEN and those who are disabled (SEND). They should identify the resources necessary for schools to deliver both an inclusive environment for their pupils with SEND and any more specialist support that is needed. Local authorities must set out in their SEND Local Offer information about the arrangements the authority has for funding children and young people with SEN, including any agreements about how schools will use any budget that has been delegated to them by the local authority. This statement is relevant to decisions that the local authority makes as to whether it is necessary to issue an EHC plan.

All schools are expected to make reasonable adjustments for pupils with disabilities, in accordance with their duties under the Equality Act 2010, whether or not they have SEN. Where a reasonable adjustment is special educational provision, the revenue cost of that adjustment may be met from the school's SEN budget.

Schools have a duty to designate a teacher to be the SEN co-ordinator (SENCo). THE ESFA would expect the SENCo to be aware of their school's notional SEN budget and to be actively engaged with the senior leadership of the school in deciding what to spend on SEN support and provision.

Calculating the notional SEN budget

- 4.3 As the next step in the movement towards a direct schools national funding formula (NFF), in 2023 to 2024 local authorities will only be allowed to use NFF factors in their local funding formulae and must use all NFF factors, except any locally determined premises factors. Local authorities will also be required to move their local formulae factors 10% closer to the NFF values, compared to where they were in 2022 to 2023, unless they are already mirroring the NFF. This may mean that local authorities need to review how their schools' notional SEN budgets are calculated. There is currently no national approach to the calculation of schools' notional budget for pupils with SEN through the

NFF. Local authorities, working with their schools, should therefore continue to use the local formula factor values in accordance with the regulations.

Most local authorities calculate their schools' notional SEN budget using a combination of funding from the basic entitlement factor, the deprivation factors, and the low prior attainment factors in the local funding formula. Depending on how the local formula is constructed and the overall weighting of the different formula factors, it is expected that the calculation of the notional SEN budget includes:

- a small part of the basic entitlement funding; **5%**
- a larger part of deprivation funding, reflecting the higher prevalence of lower-level SEN amongst disadvantaged pupils **50%**, and
- the majority or whole of the low prior attainment factor funding, as this is the best proxy we currently have for pupils with low-cost, high-incidence SEN **100%**

Rotherham calculations are %'s shown above.

Other elements of the funding formula may also be used – for example to reflect the prevalence of SEN amongst particular groups of pupils such as those who frequently move between schools, as captured by the mobility factor. A proportion of the lump sum could reflect any fixed costs of making SEN provision that would apply to all local schools or diseconomies of scale relevant to small schools. In local authorities with a large number of schools that receive a significant element of their funding through the minimum funding guarantee (MFG) element of the local formula, it may be appropriate to include a proportion of this funding in the notional SEN budget calculation. This element should be kept under regular review, however, as this element of funding usually reduces over time, but could increase in some areas as local authorities move their local formula closer to the national funding formula.

Local authorities should decide, following discussions and consultation with schools, including in the local schools forum, how big the notional SEN budget should be. Nevertheless, comparisons with other local authorities' calculations may be helpful. Local formulae data for 2022 to 2023 can be found at: [Schools block funding formulae 2022 to 2023: analysis of local authorities' schools block funding formulae](#).

Targeted funding to supplement the notional SEN budget

- 4.4 A formulaic calculation of schools' notional SEN budgets, based on indicators of need used in the formula, is unlikely to be a precise match for the costs of support provided by teachers and other professionals for the pupils they identify as having SEN.

Any significant mismatch may be an indication that a school's approach to identifying pupils' SEN differs markedly from other schools' practice. In some schools pupils not identified as having SEN would be so identified elsewhere.

Other schools would too readily identify pupils as having SEN when their needs should be met within the normal teaching and learning environment

In some cases, however, a significant mismatch between the notional SEN budget and actual costs of SEN support may be because the school has a disproportionate number of pupils with SEN in relation to its size, phase and characteristics, or has pupils with needs of a particular kind that are not captured by the formula factors used. In other cases a significant mismatch may be because a school's small size creates diseconomies of scale in making provision for pupils with SEN. The local authority can provide targeted funding from its high needs budget to schools in such exceptional circumstances. This funding would supplement the school's notional SEN budget as calculated under the local funding formula.

Local authorities should consider carefully the criteria for allocating such supplementary targeted funding; simply relying on how schools identify their pupils with SEN could lead to perverse incentives. With appropriate criteria in place, however, such funding could be particularly helpful. For example, it might enable a local school to meet the needs of more children with more complex needs instead of them being referred to a more distant special school

5. RECOMMENDATIONS

- 5.1 That Schools Forum note the changes to the 2023/24 High Needs Operational Guidance.
- 5.2 That Schools Forum support the discussions and consultations with schools on how big the notional SEN budget should be.

6. NAMES & CONTACT DETAILS

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

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

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