

**ROTHERHAM SCHOOLS' FORUM  
FRIDAY, 26TH JUNE, 2020**

In Attendance:- Deborah Ball (Treeton Primary (Academy) (in the Chair);  
John Coleman – Nexus MAT  
Dom Curran – Aston Academy (Academy)  
Neil Hardwick – Head of Finance, CYPS, RMBC  
Janet Hodgkinson – GMB Representative  
Andy Krabbendam – Kiveton Park Infant and Harthill Primary (Academy)  
Jenny Lingrell – Assistant Director, Commissioning, Performance and Inclusion  
Angela McComb – Primary Maintained Governor  
David Naisbitt – Oakwood High (Academy)  
Vera Njelic - Principal Finance Officer, RMBC  
Pepe Di'lasio – Interim Assistant Director of Education  
Nevine Towers – Diocese of Sheffield  
Kirsty Peart - Sitwell Infant (Maintained)  
Debbie Pons – Clerk, RMBC  
Alan Richards – Secondary Governor  
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  
Mary Jarret – Head of Inclusion, RMBC  
Steve Rhodes – Head of Winterhill (Academy)

**35. DECLARATIONS OF INTEREST**

There were no Declarations of Interest to record.

**36. MINUTES OF THE PREVIOUS MEETING AND MATTERS ARISING**

Consideration was given to the minutes of the previous meeting held on 17<sup>th</sup> January, 2020.

Reference was made to Minute No. 28 (Constitution and Membership) where it was confirmed that due to the Covid-19 Pandemic it had not been possible to raise vacancies at the various meetings. However, this would be discussed at the earliest convenience.

Further to Minute No. 30 (2020/21 Early Years Funding) it was noted that the Section 251 submission would not be complete until late Summer when it would then be forwarded to the Forum for information.

With regards to Minute No. 31 (DSG and Funding Formulae) would be clarified further and circulated to the Forum.

Agreed:- That the minutes of the last meeting held on 17<sup>th</sup> January, 2020, be approved as a true and accurate record, subject to Mr. J. Coleman being added to the list of those present.

### **37. CONSTITUTION AND MEMBERSHIP OF THE SCHOOLS' FORUM**

The Clerk presented the current constitution and membership as at January, 2020, of the Rotherham Schools' Forum.

Nominations to fill vacancies had been received from Rajmund Brent to fill a vacancy in the Maintained Primary Governor Sector and from Phillip Patterson, Diocese of Hallam.

Agreed:- That Rajmund Brent and Phillip Patterson be approved as representatives on the Rotherham School's Forum for a period of four years.

### **38. DEDICATED SCHOOLS GRANT - 2019/20 OUTTURN & 2020/21 FUNDING**

Neil Hardwick, Head of Finance for Children and Young People's Service, introduced the report which outlined the 2019/20 outturn position of the dedicated schools grant (DSG) and to the surplus/deficit balances of the maintained schools within Rotherham.

A further outline was provided on the national picture on the High Needs Block as part the overall Dedicated Schools Grant and the additional funding the Government was investing in education in the next three years as part of its spending review.

The announcement would provide additional funding for schools and high needs and, when compared to 2019-20, would rise by £2.6 billion for 2020-21, £4.8 billion for 2021-22 and £7.1 billion for 2022-23. For Rotherham this was an additional £6.2m for schools and £4.8m in the High Needs Block.

The report also highlighted clarification on the accounting treatment of the Dedicated Schools Grant reserve and use of funds to mitigate the deficit following the Government's consultation response in January 2020 and in addition information in respect of pupil-led funding recovered as a result of permanent exclusions.

The Forum sought and received confirmation that, where possible, outstanding monies as a result of a child being permanently excluded were pursued and recouped. From 2018/19 there were two outstanding. One was resolved shortly after being highlighted and the other was still being followed up.

Reference was made to individual school budgets and of the total 2019/20 surplus balances, eight schools held balances (set out in detail as part of

the report) above the thresholds set out in the Scheme for Financing Schools.

In addition, of the seven schools that were previously identified to be in deficit, one had now entered a surplus balance position, two have academy status with a cumulative deficit balance of £103k and four schools remained in deficit. Three schools that were previously in surplus have now entered a deficit position.

Meetings would be taking place between the school, Finance, HR and School Improvement Service colleagues to offer support in developing a deficit recovery plans. For all schools that were in a deficit position, individual three-year budget recovery plans were in the process of being compiled. These would then be subject to formal review throughout the year.

The Forum welcomed the positive moves being taken to address the deficit and eventually operate the High Needs Block within the annual funding in the future.

Agreed:- (1) That the report be received and the contents noted, particularly that the reserve balances have increased to £19.7m (centrally retained).

(2) That it be noted that the deficit balance is subject to change as this will be dependent on the Early Years adjustment for the Spring 2020 census count. Within the figures, an anticipated addition of £50k has been accounted for.

### **39. UPDATES TO THE HIGH NEEDS BLOCK FROM 2020/21 ESFA GUIDANCE**

Neil Hardwick, Head of Finance for Children and Young People's Services, introduced the report which detailed how High Needs funding was provided to Local Authorities through the High Needs Block of the Dedicated Schools Grant (DSG) and who must spend the funding in line with the associated conditions of grant, and School and Early Years Finance Regulations. Some High Needs funding was also provided directly to some institutions by the Education and Skills Funding Agency (ESFA).

The report, therefore, provided clarity on the place funding process to educational institutions, changes to the ESFA High Needs Block 2020/21 Operational Guidance and enhancements to the current Local Authority processes.

The summary changes to draw to the Forum's attention related to the clarity on pupil places and the process to agree the initial places through the High Needs Learner Return for academies, post 19 and independent sector placements. Maintained school places were determined at the

same time, but through the budget setting process and linked to current place numbers.

The guidance outlined responsibilities between the Commissioning and Provider Authority where the agreed pupil place numbers have been exceeded, also provided much improved understanding of the import/export adjustments to each educational institution within Rotherham and introduced processes to validate that adjustments were correct and to pursue rectification from the ESFA were it was incorrect.

The Forum welcomed the guidance and the importance in ensuring the import/ export data was correct and where this would allow the Schools Finance Team to contact each school with their import adjustments to validate they were correct or request evidence to pursue revision of the import numbers with the ESFA.

Whilst it was noted and acknowledged that with the increase in academies it may be the Chief Finance Officer who may need to be contacted about any adjustments, in some cases the responsibility still lay with the Head Teacher. The Schools Finance Team would ascertain the main points of contact for each school following this meeting.

Agreed:- (1) That the process to agree initial place funding with educational institutions and the requirements to agree additional in year funding as detailed in the ESFA 2020-21 High Needs Funding Operational Guidance be noted.

(2) That the proposed enhanced processes to confirm import/export places with each education institution and where incorrect action the enquiry process through the ESFA be supported.

#### **40. ENHANCEMENTS TO PAYMENT OF ELEMENT 3 (TOP-UP) FUNDING FOR HIGH NEEDS LEARNERS**

Neil Hardwick, Head of Finance for Children and Young People's Services, introduced the report which set out how the Element 3 Top-up payments were currently being made to Rotherham schools and academies on an annual basis, with other educational institutions invoicing the Local Authority.

The proposal moving forward was to widen the top-up payments to cover all maintained schools, academies, Pupil Referral Units and Further Education providers on a monthly basis in arrears which would ensure that Rotherham was compliant with the ESFA - High Needs Funding: 2020 to 2021 Operational Guide.

By providing all educational institutions with a detailed payment schedule this would outline and identify each student's top-up payment and line up pupils with payments. In addition, this would also facilitate and enable further updates from each institution of any new starters and leavers

which could then be reviewed and if approved amended on the following month's payment.

Agreed:- That the enhancements to the payments process of Element 3 (Top up Funding) from the DSG High Needs Block to all mainstream, special schools, PRU's and Further Education institutions for all Rotherham High Needs Learners (HNL's) be approved.

#### 41. **UPDATE ON SEN SUFFICIENCY PROJECTS**

Jenny Lingrell, Assistant Director, Commissioning, Performance and Inclusion, introduced the report which, following approval by the Cabinet for a capital spending programme of £1.186 million to create 111 additional school places in Rotherham starting from 2020, for children with special education needs and disabilities an update was provided on the progress of works.

These were in addition to the 125 places which were agreed in Phase 1 and some would be impacted by the recent Covid-19 pandemic as some projects were to be built during August and it was not clear at present whether they could yet be delivered within timescales.

Whilst there was some uncertainty regarding continuation of building works, as set out in detail as part of the submitted report, there have been some additional delays and project issues to the Aspire Primary site, the extensive works planned at Thomas Rotherham College (TRC) and Wath Victoria Primary School.

Agreed:- That the progress in relation to developing the new SEN Sufficiency projects be noted.

#### 42. **SEND JOINT COMMISSIONING STRATEGY, SEMH STRATEGY, SEND SUFFICIENCY STRATEGY AND ALTERNATIVE PROVISION REVIEW**

Jenny Lingrell, Assistant Director, Commissioning, Performance and Inclusion, gave a presentation, using Powerpoint, on the Rotherham Social, Emotional and Mental Health Strategy which drew attention to progress made against the six priorities identified in the SEMH Strategy.

The priorities were:-

- **Sufficiency:** develop local education provision that responds to need – this will include flexible and specialist provision. The update on this priority was provided as part of the previous agenda item.
- **Seamless Pathways:** ensure that pathways to support are connected and aligned and develop a clear behaviour pathway that includes responses to attachment and trauma. The focus in this academic year has been to establish the Mental Health Trailblazers in pilot schools. The Mental Health Support Teams are now fully

established. Next steps will be to embed these and identify how the learning from the Mental Health Trailblazer can inform the wider system.

- **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. Mapping is underway for presentation to working groups as part of the Isos review (commencing July).
- **Workforce:** develop a robust training and support, enabling practitioners to feel confident in responding to the needs of children and young people with SEMH needs. Sara Graham, Maltby Academy Trust, is leading this piece of work and designing a framework and delivery model to support the workforce (work will continue into autumn term).
- **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.

The Isos Partnership have been engaged to lead a review of Alternative Provision and Partnerships in Rotherham. The work focussed 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.

The work had been split into three stages. Phase 1 was building a picture of the context around inclusion support and AP in Rotherham, including data analysis, engagements with LA, AP and school leaders. Phase 2 was shaping options for the future system. ISOS would establish and facilitate the work of two Working Groups (primary and secondary) and engage with other key partners (e.g. PRUs). Phase 3 would be pulling it all together, collating findings, developing a summary report and presenting key findings to colleagues and partners.

The Forum were advised the ISOS Partnership delivering the project were responsible for arranging the virtual groups and the consultation. Contact details of relevant schools had been provided, but anyone who had not been contacted and wished to be involved were welcome to contact Jenny Lingrell direct and the details would be forwarded on.

The neutrality and credibility of the partnership along with how progress could be sustained and embedded in the future were welcomed.

Forum Members found the presentation very informative and welcomed the approach being taken forward. An update on progress would be provided in due course.

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.

#### **43. RISK PROTECTION ARRANGEMENT (RPA)**

Andrew Shaw, Insurance Manager, introduced a report which detailed how following a Government consultation, the Department for Education (DfE) was to extend the academies' Risk Protection Arrangement (RPA) to Local Authority maintained schools.

The report set out in more detail information on the scheme and aimed to advise on the issues that should be considered by schools before signing up.

It was highlighted, however, that Local Authority maintained schools considering a switch to the RPA must carefully consider the implications of such a move, including factoring in the cost and value of services provided by the Authority as well as the insurance covers not provided by the RPA.

It would represent good value for some schools, but it was essential that they understand all the implications and potential costs that they, and the Local Authority, might face before making a decision, given that there were still many 'unknowns' at this stage, largely because the DfE had released very little in the way of claims and performance-related information.

Consequently, insurers and brokers have not been able to formulate the additional management information that would prove of great assistance in decision making and anyone requiring additional information or guidance should contact Andrew Shaw (Insurance Manager) in the first instance.

Some Forum Members had already signed up to the Government initiative and were happy to share their experiences with others and would pass on their details. However, it was suggested that initially information be circulated to all schools in the first instance and for them to contact relevant people for advice should they express an interest.

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

(2) That details of the Government initiative be circulated to all schools for information and they be advised of participating school contacts should they wish to seek further advice.

**44. EXPANDING AND NEW SCHOOLS CONTINGENCY FUNDING FORMULA**

Vera Njelic, Schools' Finance, introduced the report which detailed the agreed funding formula for funding allocations to support staffing and resource implications for expanding and new schools from the Pupil Growth element within the Schools Block of the Dedicated Schools Grant.

Where schools are expanded, this can create a requirement for additional teaching staffing and, as a result it may be necessary to provide interim financial support to bridge the gap (between 1st September and 31st March for maintained Schools and 1st September to 31st August for Academies) due to funding arrangements.

Funding was allocated to schools each year based upon numbers on roll on Census day in October of the preceding year. Additional pupils commencing at the start of a new academic year as the result of a basic need expansion would not be on roll at that time in order to generate sufficient funding to meet additional staffing and other agreed expenditure. Any new school/Academy that was open for basic need purposes was the responsibility of the Local Authority to fund. This included both post revenue opening costs and pre-start development costs.

The report set out the projections Growth funding allocations for expanding schools which were re paid in July annually following confirmation of pupil growth numbers and additional staffing implications for the new academic year. Allocations were approved by Schools Forum following consideration of a report recommending allocation amounts.

The Forum noted the detail in the report, but sought clarity on use of a Growth or Regrowth Fund for schools/academies that had seen falling rolls in previous years, which in subsequent years had then risen.

It was reported that any provisional fund would first need to be agreed by the Schools' Forum and any such funding would only then be available to schools to be judged Good/Outstanding by Ofsted with specific eligibility criteria.

Currently Rotherham did not have such a fund and consultation on such a proposal would need to be undertaken. It was suggested that a report be prepared for consideration at a future meeting.

Agreed:- (1) That the current expanding and new school growth funding allocations formulas be noted.

(2) That a report be prepared for consideration by the Schools Forum on proposals for a potential Growth/Regrowth Fund.

**45. WAVERLEY DISAPPLICATION REQUEST**

Vera Njelic, Schools Finance, introduced the report which detailed the intention of the Local Authority to submit a disapplication request to vary the pupil numbers on the October, 2020 schools census return for the new Waverley Junior Academy which was scheduled for completion in early August in time for the start of the 2020/2021 academic year, which may not be achieved given the current COVID-19 pandemic.

As a consequence of a delay to the opening of Waverley academy, pupils currently on roll at Rotherham schools who have applied to transfer to Waverley have the option to remain in their current school.

This temporary measure could lead to these pupils being included in the October, 2020 pupil census count at those schools and not Waverley's. 2021/2022 school budgets were mainly determined by the number of pupils on school census data.

Where a new school had opened, regulations required Local Authorities to estimate the pupil numbers for that school, explaining the rationale underpinning the estimates. The Local Authority could then include those pupils registered on the temporary school's October 2020 count with Waverley, for the purpose of future funding calculations. To ensure these pupils were not double funded regulations required the Council to submit a disapplication request to the ESFA in order to vary October 2020 pupil numbers, should the above-mentioned scenario occur. This would mean there would be an adjustment to the submitted census data of those schools where the Waverley pupils have remained on a temporary basis. It would remove those pupils who were to transfer to Waverley Junior and, therefore, the 2021/2022 funding would reflect their removal from October 2020 census return.

Consultation had taken place with all schools to make them aware that it was the intention to submit a disapplication request in the Autumn term if necessary.

It was noted that some schools that were affected by the opening of Waverley Junior Academy were currently refusing children entry even though when Waverley opened they would have places. Those children refused places were advised to follow the appeals process.

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

**46. FREE SCHOOL MEALS APPLICATIONS**

Neil Hardwick, Head of Finance for Children and Young People's Services, introduced the report which highlighted the significant increase in Free School Meal applications since lockdown was imposed.

As at January 2020 school census there were 8,557 Rotherham children recorded as eligible for free school meals. During the period 23rd March 2020 to 9th June 2020 the Council received 863 web applications in comparison to 169 received during the same period last year.

Following receipt of the 863 web applications 730 (85%) were issued award notices and 133 (15%) non eligible notices. Based on current data there were now 9287 children entitled to free school meals.

It was pointed out, however, that the increased number of registered free school meal children will lead to an increase in Rotherham's 2021/2022 School's Block DSG and Pupil Premium allocations.

It was suggested that information be circulated to all schools to avoid any disruptions during this period. There had been issues with the Portal and getting logged in, but by circulating information all schools would be kept up-to-date.

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

(2) That information be circulated to all schools, as soon as possible.

#### **47. ANY OTHER BUSINESS**

##### **(a) DfE School Funding guidance - COVID pandemic**

Neil Hardwick, Head of School Finance for Children and Young People's Services, introduced the report which acted as a reminder to the DfE guidance issued and the current financial support the DfE had put in place at these extraordinary times.

The DfE have already confirmed that schools would continue to receive their core funding allocations – as determined by the Council for maintained schools and through the general annual grant (GAG) for academies – for the 2020 to 2021 financial year (April 2020 to March 2021 for maintained schools and until August 2021 for academies and non-maintained special schools).

This would occur regardless of any periods of partial or complete closure and ensure schools could continue to pay staff and meet other regular financial commitments.

Councils would also continue to receive their High Needs budgets and should continue to pay top-up and other high needs funding to schools. This would ensure that the employment and payment of staff supporting pupils with special educational needs and disabilities (SEND) could continue.

Similarly, where schools pay top-up or other funding for pupils attending alternative provision (AP), or pay for other SEND or AP

services, these payments would continue so that teachers and other staff could be paid in accordance with their existing employment contracts.

If placements and services for the summer term have not yet been agreed, schools should fund on the basis of previous patterns of placements. There may be some instances where schools that remained open have already, or may over the coming weeks, face additional costs as a result of the coronavirus (COVID-19) outbreak. In some instances, schools may not be able to cover these from their existing resources.

Forum Members welcomed the information and found the detail helpful and reassuring.

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

#### **48. DATES OF NEXT AND FUTURE MEETINGS**

Agreed:- That future meetings of the Schools Forum take place Friday, 18th September and 20th November, 2020 at 8.30 a.m. (venue to be confirmed).