

# Nottingham City Council

## Schools Forum

Minutes of the meeting held remotely, and livestreamed on YouTube, on 6 December 2022 from 1.48 pm - 3.12 pm

### Membership

	Kerrie Fox (Chair)	-	PRUs
✓	Paul Burke (Vice Chair)	-	Secondary Academies
✓	Kerrie Henton	-	AP Academies and Free Schools
✓	Debbie Simon	-	Early Years PVI
✓	Judith Kemplay	)	
✓	Terry Smith	)	Maintained Primary Head Teachers
✓	Alison Tones	)	
✓	Patricia Lewis	)	
	Laura Patel	-	The Nottingham Nursery
	Meeta Dave	)	
	Tim Jeffs	)	Primary Academies
	Rob Perkins	)	
✓	Andy Smith	)	
	David Tungate	)	Secondary Academies
	Bob White	)	
✓	Phil Willott	-	Special Academies
✓	Sheena Wheatley	-	Trade Unions
✓	Lisa Wilson	-	14-19 Education

✓ indicates present at meeting

### Colleagues, partners and others in attendance:

Kathryn Bouchlaghem	-	Early Years Manager
Julia Holmes	)	Senior Commercial Business Partner
Kathryn Stevenson	)	
Lucy Jubby	-	Project Manager (Education Services)
Mark Leavesley	-	Governance Officer / Clerk to the Forum
Nick Lee	-	Director of Education Services
Sam Morris	-	Head of Children's Strategy and Improvement
Paul Stevenson	-	Interim Strategic Finance Business Partner
Janine Walker	-	Head of SEND and Vulnerable Pupils
Sheena Yadav-Staples	-	HR Consultant (Employee Relations)

## 9 Chair

As the Chair, Kerrie Fox, had sent her apologies, Paul Burke (Vice-Chair) chaired the meeting.

## **10 Apologies for Absence**

Kerrie Fox  
Tim Jeffs  
Rob Perkins  
David Tungate

## **11 Declarations of Interest**

None.

## **12 Minutes**

The Forum agreed the minutes of the last meeting held on 11 October 2022 as a correct record and they were signed by the Chair presiding at the meeting.

## **13 Proposed approach to DSG Budget Setting 2023/24 by block**

Further to minute 6, dated 11 October 2022, Kathryn Stevenson, Senior Commercial Business Partner, presented the report, and stated the following:

- the Education and Skills Funding Agency (ESFA) were contacted on 12 October in order for the Local Authority (LA) to obtain clarification of legitimate options under the current regulations to allocate additional funding to schools including from DSG reserves. The response received was that a blanket approach would be via the annual delegated budget via the Authority Pro-forma Tool (APT) but this would be limited to the tightening rules. These are the rules that mean that LA's funding formulae are supposed to be moving at least 10% closer to the National Funding Formula (NFF) each year;
- as the LA mirrored the NFF in 2021/22, this means we can only go up to 2.5% above any of the NFF rates. As over half of schools are receiving protection from the Minimum Funding Guarantee (MFG) the response clarified that a disapplication request would be required to allow the funding to be passed on fully and that this would need to be a one-off. The only other option suggested by ESFA was to distribute additional targeted high needs funding pot to encourage schools to be more inclusive or assist schools with high numbers of high needs pupils. As targeted high needs funding guidance states that this should only be received by a minority of an LA's schools, this option is limited as a mechanism for getting additional funding to all schools;
- the most simple and transparent approach for getting additional funding out to all schools consistently is through the basic per pupil rate. The maximum uplift to the per pupil rates that will be permissible across all key stages is £85, which would take the primary basic per pupil rate 2.5% above the NFF rate of £3,403. Based on October 2021 pupil numbers, funding all primary and secondary schools at an extra £85 would equate to an additional £3.662m. The actual distribution would be based on October 2022 census pupil numbers once confirmed and will depend on the exact funding available, as outlined in the financial implications section of the report;

- a consultation with mainstream schools was undertaken during 15-29 November 2022. This included a question as to whether this was a fair approach to distributing additional funding. A summary of consultation responses is included at appendix B to the report.
- a disapplication request was submitted to the ESFA by the 18 November deadline. This asked for permission to adjust the MFG for schools receiving protection as a one-off in 2023/24 to allow them to benefit from up to a maximum of £85 per pupil. The disapplication request will be updated with the outcomes of the consultation and Schools Forum vote on recommendation 1;
- the report proposes the utilisation of £1.438m from the DSG reserve to partially fund the proposed one-off distribution to mainstream schools in 2023/24. This is the balance of £2m, which was ring-fenced in the DSG reserve to be allocated in conjunction with the Schools Forum sub-group for initiatives to help reduce exclusions. Having funded some short-term project costs associated with 'Routes to Inclusion' and costs of the Intensive Support Team in a trial phase, there are currently no concrete proposals for the balance of this funding, despite ideas having been sought from schools/settings by sub-group members;
- in the light of the financial pressures on budgets and heightened needs of pupils post-Covid, a general distribution of this balance to all schools now seems appropriate. However, given this proposal is funded through DSG reserves set aside to help promote inclusion, along with funding from high needs, the LA will be asking that schools ensure that this additional funding is prioritised to protect expenditure from their delegated budget on support for SEN pupils and activity to help support the continued inclusion of vulnerable pupils;
- whilst the CSSB block transfer moves funding out of high needs for 2023/24, there is a high level of interdependency between the service delivery and outcomes of the Education Welfare service, the inclusion of vulnerable pupils and work of other DSG funded teams. Two clear examples of this are the relationship between AP oversight and responsibility for children EOTAS and the exclusion process and fair access admissions in-year for children at risk of permanent exclusion.
- similarly, children without a school place (WASP) have failed to acquire a school place through the admissions process and are case managed through Access & Inclusions, however, to improve outcomes requires more intensive welfare support that the admission team are not resourced to provide. The intervention from Education Welfare services would improve outcomes in reducing barriers to access education, reduce vulnerability, and support with provision of a school place and follow through of school attendance orders and parenting orders where required;
- the additional budget transfer only applies to mainstream schools and not to high needs settings. Whereas mainstream schools are subject to the NFF, funding for high needs settings is at the discretion of the LA. This means that the LA is able to agree top-up funding at a level that adequately covers cost pressures. Special

school funding was being reviewed in depth for 2023/24 as part of a 4-year cycle, and will take account of cost pressures. The LA agrees top-up funding for other high needs settings at a level to cover actual costs of delivering provision when this information is made available;

- In order to ensure that high needs provision and pupils are not disadvantaged through the High Needs Block transfer, in the event that the high needs budget requirement for 2023/24 is higher than originally anticipated, funding can be drawn from the unallocated DSG reserve as outlined in the financial section of the report.

### Resolved

- (1) to agree to fund schools by up to £85 per pupil higher than the National Funding Formula in 2023/24, funded through a combination of a High Needs to Schools Block transfer and use of the £1.438m ring-fenced reserve balance;**
- (2) to note that implementation of recommendation 1 is subject to Secretary of State approval of a disapplication request to permit Nottingham City Council to fund at a level higher than the minimum funding guarantee for those schools receiving protection;**
- (3) to approve a block transfer for 2023/24 of up to £2m from the High Needs Block to the Schools Block;**
- (4) to approve a block transfer for 2023/24 of £0.458m from the High Needs Block to the Central Schools Services Block.**

The meeting was quorate and, of the members eligible, the recorded vote was as follows:

- 11 in favour of all resolutions;
- no votes against any resolution;
- 1 abstention in respect of all resolutions.

<b>Sector</b>	<b>Name</b>	<b>Vote</b>
Primary Academies 1	Tim Jeffs	Sent apols for meeting
Primary Academies 2	Meeta Dave	Not present at the meeting
Primary Academies 3	Rob Perkins	Sent apols for meeting
Maintained Primary 1	Terry Smith	<b>For</b>
Maintained Primary 2	Judith Kemplay	<b>For</b>
Maintained Primary 3	Alison Tones	<b>For</b>

Secondary Academies 1	Paul Burke (Vice-Chair)	<b>For</b>
Secondary Academies 2	Andy Smith	<b>For</b>
Secondary Academies 3	Bob White	Not present at the meeting
Secondary Academies 4	David Tungate	Sent apols for meeting, stated ' <b>For</b> ' via email
AP Academies	Kerrie Henton	<b>For</b>
Nottingham Nursery	Laura Patel	Not present at the meeting
Special Academies	Phil Willott	<b>For</b>
Maintained Special	Patricia Lewis	<b>For</b>
PRUs	Kerrie Fox (Chair)	Sent apols for meeting
Early Years PVI	Debbie Simon	<b>For</b>
Trade Unions	Sheena Wheatley	<b>For</b>
FE Colleges (14-19)	Lisa Wilson	<b>Abstained</b>

Nick Lee  
 Director of Education Services

#### **14 Central Expenditure Budget 2023/24 – Historic Commitments**

Julia Holmes, Senior Commercial Business Partner, presented the report, which requested approval of the historic commitments within the Central Schools Services Block, within the Dedicated Schools Grant, and for the allocation of funding for SEN Transport, funded from the High Needs Block, for the financial year 2023/24.

Arising from the discussion, Mr Lee, Director of Education Services, agreed to inform members outside of this meeting of what funding is available and how schools can access it.

**Resolved to approve the historic commitments and SEN Transport allocation for the financial year 2023/24 (totalling £3.324m), as detailed in table 4 of the report, noting the additional historical detail as set out in appendices A to D of the report.**

#### **15 Central Expenditure Budget 2023/24 – On Going Commitments**

Julia Holmes, Senior Commercial Business Partner, presented the report, which requested approval of the ongoing commitments for the financial year 2023/24, noting that should the 2023/24 settlement for ongoing commitments be less than anticipated, the local authority would submit revised funding allocations, in the Schools Budget report 2023/24, to the Forum at its meeting on 17 January 2023.

Ms Holmes stated that as Schools Forum, in resolution (4) of minute 13 above, had agreed a block transfer for 2023/24 of £0.458m from the High Needs to the Central

Schools Services Block, recommendation 1 of this report is now amended accordingly. She further stated that there was a typing error in the '22/23 forecast' column of appendix A – the total for the column should read '£1.665m', not '£1.643m'.

#### **Resolved to**

- (1) approve the ongoing commitments totalling £2.155m, as set out in table 3, noting the additional historical detail set out in appendix A;**
- (2) note that:**
  - (a) the estimated cost of Copyright Licences, totalling £0.232m, does not require Forum approval as they are managed and procured by central government;**
  - (b) where values are based on estimated pupil numbers, this report used the latest October 2021 census, however, once the October 2022 census and final allocations are issued by the Department for Education, these figures will be updated and presented in a final budget report to Schools Forum;**
- (4) approve that should any additional funding above the £1.697m for ongoing commitments be received from the Education and Skills Funding Agency, it is allocated to the local authority to cover the cost of retained duties.**

#### **16 Early Years Central Expenditure 2023/24**

Kathryn Stevenson, Senior Commercial Business Partner, and Kathryn Bouchlaghem, Early Years Manager, presented the report, informing Forum that the national Early Years (EY) funding arrangements, introduced in April 2017, included a national formula for allocating the EY block to Local Authorities, and new regulations around the proportion of EY funding that can be retained for central spend, thereby ensuring a 95% pass-through of funding to providers. Approval of funding is subject to compliance with this regulation when the Schools Budget 2023/24 is finalised.

In response to questions, it was stated that ring-fenced SEN underspend would be returned in due course and an update would be submitted to the January meeting of Forum.

**Resolved to approve Early Years Central Expenditure of £1.025m for 2023/24, as detailed in the report.**

#### **17 Proposed pupil growth allocation for 2023/24**

Lucy Juby, Project Manager, Education Services, presented the report, outlining the proposed requirements of the Pupil Growth Contingency Fund for 2023/24 and seeking approval to allocate £0.935m to fund pupil growth in both maintained schools and academies.

Ms Juby stated that:

- (i) Growth Funds are an established mechanism nationally, to support expanding schools. Page 5 of the 'Department for Education: Schools Forums - Operational and good practice guidance' (March 2021) identifies the creation of a fund and the agreement of criteria for pupil growth as one of the responsible functions of a Schools Forum;
- (ii) as part of the budget setting process for 2023/24, the School Funding team must inform the Education and Skills Funding Agency by mid-January 2023 of the level of funding allocated from the pupil growth contingency fund for pupil growth for academies during the period April to August 2023;
- (iii) appendix 1 of the report outlines the current commitments and projected requirements for pupil growth in 2023/24 based on the current Pupil Growth Contingency Fund criteria for primary and secondary growth.

### **Resolved**

**(1) to approve the allocation of £0.935m to support pupil growth in 2023/24;**

**(2) to note:**

- (a) the requirement to allocate funding to academies for the period April to August 2023, as guided by the Education and Skills Funding Agency, but which will be reimbursed to the local authority's Dedicated Schools Grant;**
- (b) that the amount (in respect of resolution (1) above) is £0.447m;**
- (c) that the total amount of academies individual school budget shares will be netted-off against the pupil growth given out for this period, and the local authority's Dedicated Schools Grant for 2023/24 will be adjusted accordingly.**

### **18 De-delegation of funding for Trade Union time off for Senior Representatives**

Sheena Yadav-Staples, HR Consultant (Employee Relations), presented the report, outlining the proposed funding arrangements for trade union facility time for senior trade union representatives from schools to attend negotiations and consultation meetings and to represent their members in schools from 1 April 2023 to 31 March 2024.

Ms Yadav-Staples stated:

- (i) that, under the Schools and Early Years Finance Regulations 2022, maintained schools can agree to de-delegate funding for trade union facility time. This had been done by maintained schools since the financial year 2013/14;

- (ii) to reduce the cost to maintained schools, the arrangement was also offered to academies;
- (iii) the income generated paid for the salaries of the trade union representatives whilst carrying out trade union facility time duties;
- (iv) maintained schools and academies are reimbursed the salaries of the representatives who are employed by them. This is done so that no school loses out as a consequence of a member of their staff carrying out Trade Union duties;
- (v) in respect of the report recommendations before members today, the charges will generate a £0.158m projected income, based on 70 maintained schools and academies buying into the scheme, and the funding total of £0.063m is made up of £0.018m generated by pupil numbers and £0.046m lump sum funding.

In response to a question, Ms Yadav-Staples agreed to circulate to members outside of this meeting a breakdown of where the funding had been spent.

**In respect of maintained school members only, Resolved to**

- (1) approve the de-delegation of funding for senior trade union representatives at a rate of £1.56 per pupil and a lump sum of £1,577 per school;**
- (2) note that the total funding requested to be de-delegated by maintained mainstream primary schools is £0.063m.**

**19 School improvement, monitoring and brokerage grant - request for approval for de-delegation for 2023/24**

Nick Lee, Director of Education Services, presented the report and stated the following:

- (i) the Department for Education confirmed in January 2022 that the grant payment to local authorities to fund the provision of school improvement services to local authority maintained schools would reduce by 50% in 2022/23, and be removed entirely in 2023/24;
- (ii) in Nottingham, the grant forms part of the overall grant payment agreed with the Nottingham Schools Trust, who are commissioned by Nottingham City Council to deliver school improvement services to the remaining local authority maintained schools;
- (iii) to mitigate the adverse impact on the provision of school improvement services to maintained schools, the Department for Education has indicated it approves local authorities seeking de-delegation approval, via a Schools Forum decision, for the equivalent funding from maintained schools budget share;

- (iv) as such, the report sets out the background, rationale for seeking the approval, and the financial contribution required by maintained primary schools to fund the grant reduction in the financial year 2023/24, and recommendation (1) is to ensure that Nottingham Schools Trust can maintain the agreed level of school improvement support established through its current grant agreement.

**In respect of maintained school members only, Resolved**

- (1) to approve the de-delegation of funding, at a rate of £10.43 per pupil, to mitigate the reduction in the School Improvement, monitoring and brokerage grant received by Nottingham City Council;**
- (2) to note that the total funding requested to be de-delegated by maintained mainstream primary schools is £116,381.**

**20 Date of next meeting**

It was noted that the next meeting would be held via Zoom, livestreamed on YouTube, at 1.45pm on Tuesday 17 January 2023.