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| Members: | **Position** | **Voting** | **Attendance** |
| Jane Shields | Primary Maintained Headteacher | Voting | Present |
| Karen Joy | Special Maintained Headteacher | Voting | Absent |
| Karen Bennett | PRU Maintained Headteacher | Voting | Absent |
| Tim Williams | Primary Academy Headteacher | Voting | Present |
| Cathy Reid | Secondary Academy Headteacher | Voting | Present |
| Paul Jackson | Special/PRU Academy Headteacher | Voting | Present |
| Stephen Avis | CFO Multi Academy Trust | Voting | Present |
| Richard Warnham | Governor Primary Maintained | Voting | Present |
| Barbara Fincham | Governor Primary Academy | Voting | Present |
| Clive Mailing | Governor Secondary Maintained | Voting | Present |
| Peter Martin – Chair | Governor Secondary Academy | Voting | Present |
| Ian Chappell - Vice-Chair | Governor Secondary, Special and PRU | Voting | Apologies given |
| Vacancy | Early Years Representative | Non-voting | N/A |
| Vacancy | 16-19 Provider Representative | Non-voting | N/A |
| Kirstin Barker | C of E Diocese Representative | Voting | Present |
| Clare Redmond | RC Diocese Representative | Voting | Apologies given |
| Julia Harris | Teaching Unions Representative | Non-voting | Absent |
| Stuart Gardener | CFO Multi Academy Trust | Voting | Present |
| In attendance: |  |  |  |
| Chris Kiernan  | Assistant Director of Education and SEND LA. |  | Present |
| Maria Beaney  | Finance Business partner LA. |  | Present |
| Martin Daniels | Finance LA |  | Present |
| Nicola Smith | Human Resources Payroll LA |  | Present |
| Samantha Beckfarley | Human Resources LA |  | Present |
| Martin Potter | Portfolio Holder for Education and Schools. |  | Present |
| Wendy Vincent | Head of Integrated 0-25 Disability Services LA |  | Present |
| Sarah Phillipson | Clerk. |  | Present |

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| No.  | Agenda Point.  | Discussion.  |
|  | **Apologies.**  | Ian Chappell - The vice-Chair, and Clare Redmond gave their apologies, and these were accepted.  |
|  | **Declarations of Interest.** | No Changes. Kirstin Barker noted a conflict of interest for the point on schools in difficulty funding.  |
|  | **Minutes from the previous meeting.** | **Accuracy**All minutes were agreed as an accurate representation of the meeting.**Matters arising.** MB updated the members on item 3.2 EYFS candidates that this recruitment is in process with the aim for the appointed members to join at the next meeting. **Q - Item 6 – Questions regarding the printing costs for forum members. I believe that the response was that there was no policy set, but a draft would be brought to the next meeting, but this is not on the agenda?**A - MB confirmed that members could claim printing costs as long as it is reasonable, e.g., a pack of printing papers.  |
|  | **Term Time Only Calculations – Verbal update**  | Nikki Smith/ Samantha Beckfarley gave the Forum a verbal update on the term time only calculations noting the following points:* Schools have received ET1 (employment tribunal claims), and this is an obvious concern. These are regarding potential underpayment of wages for NJC term time only staff. Medway is unique as the NJC staff are on a mixture of local and national terms and conditions. The pay scales used are NJC National, but the grades are local. Other points fall into the "Greenbook" national guidelines. There are no model calculations before Feb/March 2019.
* The Local government association issued guidance relating to part-time/ term time staff pay calculations suggesting best practice. This was written into the Greenbook and consulted upon widely. The LA had no reason to assume that the calculation being used should have been completed differently. There was no best practice. There has been a considerable amount of case law regarding annual leave, with one appeal due to be heard in November. The LA adopted the 2019 proposal in April 2020, and these changes are resulting in the NJC staff receiving considerable pay increases (some of 9%). Once applied, the trade unions submitted claims against the schools/academies stating that prior to April 2020 employers had miscalculated term time only staff's annual leave, resulting in them receiving less favourable treatment than an employee working a full calendar year. The LA questioned the LGA regarding that the guidelines are stated in the green book. The LGA state all-LA are different with different calculations. The LA has requested further information from the trade unions, which was responded to by stating that the grievance referred to all staff employed as term time only by Medway and all providers using the LA calculation for pay. The grievance is regarding underpayment. The proposal for back pay was due to other Trade Unions benchmarking.
* The LA proposes a working group of key stakeholders to look at the term time only calculation and the Trade union requests then prepare a collected response. There is an option to wait for the Harper Brisell case (currently due to be heard on 21st November); however, this case is slightly different and is not specific to this issue.
* CK noted that the approximated cost to each school for an average to the large primary would be around £8,500 to £13,000, the large secondary being less due to fewer term-time staff. CK explained that exact figures are confidential to each school. Special schools are most likely to be affected as they tend to have more staff of this type. There was nothing wrong with the calculation, and it is just that it has altered, and now the Unions are looking for back pay.

**Q – TUS wish to start a conversation with LA maintained schools before academies. Will they happen one after another?** A – The two-stage model is complicated, and the union have already worked with a large academy trust; e.g., Oasis has already agreed to their arrangement. It could take a large number of resources from the Trade unions to do this with all academy trust, and they are keen for it to be a two-prong approach. If the agreement with LA for maintained schools is set, this could roll out to all schools. Kent has been consulting ahead of this process to get an agreement. The LA will not have any resource to do this. The working group is opened up for all schools, with a support group set up with HR experts and the school business manager from the larger trusts. They have also had information from the Greenwich case. The working group is for people to join to keep abreast of work done. Ideally, having a way forward for all schools. If LA could get something agreed upon, there would not be the need to wait for the Burnell ruling. **Q – Will the working group just address LA maintained schools issues?** A – They would be looking at all schools. A member noted that he was part of the working group that was already set up and that several court cases up and down the country have found favouring the unions, not the LA. **Q - How will you communicate this to all MATs if you set a precident in the area?**A – The LA will be speaking to the trust CEOs forum. Members were asked to volunteer in the Working group:Jane Shields – Maintained school volunteered. **Q – The group was meeting next week; how many members do you currently have, and what are you missing?** A – We already have Kathy Sexton as the chair of MELA HT of St Michaels RC primary school and Hillary Sanders Medway Anglican schools trust, Jan Taylor from the Pilgrim Trust, Karen Johnson from the Rowans Trust and Karen Joy from Abbey court. Clive Mailings St john fisher, Andy Minchin FPTA trust, Steve Geary from Halsted and Matt Wigmore from Swing gate, Sarah Steel from Halsted,Victora Edmond from St Thomas Moore and CEO from Howard trust. **Q – Do you feel you have enough schools across Medway to give a good representation?** A - Yes, as well as the advisory group will also support this. There is a strong representation. The chair asked if anyone else wishes to be on this working group, please contact Nicolas Smith LA. Nicola Smith and Samantha Beck-Farley left the meeting.  |
|  | **SEN Strategy and Place Planning**  | Wendy Vincent presented the SEN Strategy and place planning document previously shared with the forum members. She stated this document outlines the strategy to a commitment to support children, young people and their families by encouraging and challenging schools to cater for a wide range of needs and abilities. The LA believe that all children should be educated as close to their home as possible, which reduces the time they have to spend travelling and enables them to make and maintain friendships in their local community.Over the period covered by this strategy, the LA will be seeking to support more children with SEND in mainstream schools and fewer in specialist settings. To do this, the LA will;Increase the funding available to mainstream schools:• Invest more in adapting buildings, and• Work with school Special Educational Needs Co-Ordinators (SENCOs) to ensure staff are appropriately trained and have the confidence to meet a wide range of needs.This strategy forms part of a wider Council strategy on making Medway a more inclusive community. Future work will develop other aspects, such as partnership engagement with health and work with adults with learning difficulties.This strategy links to the priority set out in the Medway Council Plan 2016-17 to 2021 to support Medway's people to realise their potential through enabling older and disabled people to live independently, ensuring that families are resilient, and all children achieving their potential in schools.The Priorities of the SEND Strategy are: -* Early identification and help of all ages.
* Ensure that SEN provision in schools, settings and services is high quality to ensure inclusion and good progress for all.
* Plan for more specialist provision in schools, settings and services – more places locally.
* Support young people to have more opportunities to be as independent as possible as they become adults.
* Increase working together with CYP and parents/carers – participation and co-production.
* Ensure joint planning and pooled resources for accessible services locally.
* Enable CYP with SEND to have the best possible physical and mental health and wellbeing.

LA will achieve these aims by: -* In accordance with the SEND Code of Practice, having a default position means that all children should attend a mainstream school unless there is an overwhelming reason why this cannot happen.
* Ensuring that every child and young person who have a right to have their health, social care and education needs met within their local community are placed, wherever possible, in local Medway Schools and Colleges.
* The LA will ensure that the views and wishes of children and young people with SEND and their parents are heard and will work with them to ensure that they have confidence in local providers' ability to meet their children's needs.

Current Commissioned SEN Places.WV explained that the Local Authorities are obliged to complete a "high needs change notification return" to the ESFA in November of each year and outlined the process used to complete this. WV shared the predicted needs of pupils who have EHCP's document (appendix A) and invited questions. **Q – There is a huge reduction of resource provision for primaries; why is this?** A – The Delce is working in partnership with Elaine primary, and they feel that they need to reduce provision. Twydall has children with a physical disability, and they did have up to 25 places, but the local schools currently are now able to support them due to new builds or reasonable adjustments. Been running at a vacancy of 10 places for the last couple of year due to a change of demand. **Q – There are no increase in provision for the primary?**A – Elaines provision increased last year. However, the LA needs to have a balance and cannot afford to pay for empty places. We base our figures on the number of children we know will move into these places.A member noted that it was important to communicate to parents with children who have an EHCP what is available for them as they tend to apply to specialist provision instead of local ones.  **Q – This report states the importance of getting children into mainstream provision; however, the High needs subgroups minute's notes that the LA intends to limit top-up funding in all but exceptional circumstances. These seem in conflict with each other.** A – The LA will offer high needs funding for two groups of children; those who have an ECHP and are going into the mainstream, and it is felt they need more support than £6,000 in the budgets, and those children who do not have ECHPS and are on SEND support plans. At the same time, the schools unpick the children's needs and put in measures of support. This might then lead to an ECHP application long term. The non-EHCP was introduced in Medway in 2014 to reduce the number of applications (a higher amount of top of funding to allow schools to support without an EHCP). This did not work, as the support tends to still lead to an EHCP. The procedure was not monitored, particularly well. The aim is to tighten this process and not remove it. **Decision - Schools forum noted Agenda 5: SEN Strategy and Place Planning document.** Wendy Vincent left the meeting. |
|  | **Funding Support Business Cases**  | Confidential minutes.  |
|  | **Dedicated Schools Grant Allocation update**  | Maria Beaney presented the Dedicated Schools Grant Allocation update noting the following points. The Education and Skills Funding Agency (ESFA) requires all Local Authorities (LA) to provide information to its Schools Forum about its Dedicated Schools Grant (DSG) on a regular basis.The current 2020-21 allocation showed a reduction of £932,182. This was due to one maintained school converting to academy status between the last update to the DSG allocations.DSG allocation before and after academy recoupment was discussed. MB outlined the following figures;

|  |  |  |
| --- | --- | --- |
|  | **Before Academy Recoupment****£** | **After Academy Recoupment****£** |
| Schools Block | 210,074,345 | 210,074,345 |
| High Needs Block | 45,712,300 | 34,454,149 |
| Early Years Block | 18,253,421 | 18,253,421 |
| CSSB | 892,539 | 892,539 |
| **Total** | **274,932,605** | **263,674,454** |

2021-2022 school block allocation breakdown

|  |  |
| --- | --- |
|  | **School Block Breakdown****£** |
| Primary & Secondary funding | 197,218,761 |
| Premises funding |  1,965,243  |
| Growth funding |  1,791,745  |
| Protected teachers' pay and pensions grant | 9,098,596 |
| **Total** | **210,074,345** |

2021 DSG allocation comparison to the 2020 allocation

|  |  |  |  |
| --- | --- | --- | --- |
|  | **2021-22 School Block Breakdown****£** | **2020-21 School Block Breakdown****£** | **Percentage Increase** |
| Primary & Secondary funding | 197,218,761 | 187,278,511 | 5.3% |
| Premises funding |  1,965,243  | 1,917,147 | 2.5% |
| Growth funding |  1,791,745  | 1,528,760 | 17.2% |
| **Total** | **200,075,749** | **190,724,418** | **4.9%** |

The teachers' pay and pension has been added to the DSG. **Q - Does this mean the teacher pensions and pay will be paid in the future in this way?** A – Yes, it may be absorbed into the DSG and not paid separately. MB advised Medway's per-pupil funding rates for 2021-22 compared to Kent and other South East LA's. This is the amount of money the LA receives to pay schools and may not be what the school actually receives. This shows that while Medway children receive more than Kent per pupil, the HN basic is less than Kent. **Q – Are you able to say what the changes there are to 20-21 - 21-22 the amount per-pupil funding?**A – For primary 20/21 is £4,037 per pupil compared to 21/22 of £4373. It was noted that this includes the 21/22, which will include an element of the teacher's pension.**Decision – The school forum noted and commented on the Dedicated Schools Grant Allocation update report.**  |
|  | **Growth Fund 2021-22****Budgets**  | MB presented the Growth Fund 2021-22 Budgets sharing the following items;LAs can only retain funds for the provision of central education services in circumstances which have been set by the Department for Education (DFE); these are known as Centrally Retained Budgets and fall into three headings;1. Statutory Functions of the Local Authority
2. Growth Fund
3. De-delegated Services

Each year the Schools Forum is required to approve the growth fund budgets. The Schools Forum has previously decided that the following support (see below) should be given to schools/academies with PAN increases to allow the PAN changes to be embedded through the school/academy funding system.Infant 3 years of maximum supportJunior 4 years of maximum supportPrimary 7 years of maximum supportSecondary 5 years of maximum supportThis support would cease as soon as capacity is reached or if a change is made back to the original PAN or PAN reduction.**Growth Funding and Pupil Number Variations**Permanent PAN Increases must be funded via the Funding Formula, not through the growth fund and the centrally retained funds held by LA. This means the LA require the Schools Forum approval to adjust the school/academy pupils on roll number, used in the Funding Formula on all funding factors and not just on the Basic Entitlement (AWPU).Estimated pupil numbers have been used for the new PAN increases and have also been weighted to consider the different school and academy funding years.1. 7/12ths have been used for maintained schools - i.e., 21st September – 22nd March.
2. 7/12ths have been used for academies - i.e., 21st September – 22nd March
3. The ESFA will fund 5/12ths for academies under point b - i.e., 22nd April - 22nd August.
4. £6,000 per new class for the first year of opening.

The table below shows several new school places required from September 2021 relating to PAN increases agreed at previous Schools Forum meetings. There is no new class growth funding budget associated with this group of schools as the final year of protection was 2020-2021.**Table 1 – On-going Identified School PAN Increase**A table showing the 12 schools whose funding will be increased for 2021.Please note:New classes are shown in red and highlighted. A total of 204 (pro-rated to reflect the different financial years) are reflected in the funding formula proposals later on the agenda.Table 2 below shows the new schools places required from September 2021, where the PAN changes have been agreed upon with the place planning team. The new class growth funding associated with this group of schools is £0.**Table 2 – New School Places from September 2021**A table showing the 1 school whose funding will be increased for 2021.Please note:New classes are shown in red and highlighted. A total 105 (pro-rated to reflect the different financial years) is reflected in the funding formula proposals later on.Table 3 below shows the new school's places required from September 2021 but where the place planning team are still negotiating with schools and the cost associated with this group of school or schools is £131,400.**Table 3 – Newly unspecified school places.**A table showing the 1 school whose funding will be increased for 2021.Please note:The pupil numbers have not been adjusted to reflect part-year funding incase the school identified is an academy.Table 4 below shows the new bulge class places required from September 2021. Bulge classes are funded for one year only, and the cost associated with this group of school or schools is £130,000.**Table 4 – New bulge classes for the 2021 year only.**A table showing the 4 schools whose funding will be increased for 2021.Please note:New classes are shown in red and highlighted and total 87.5 (pro-rated to reflect the different financial years) and are reflected in the funding formula proposals later on the agenda.**Q - Table 4 Shows that the Leigh at Rainham has been funded bulge classes x 2 by Medway; however, this school sits on the border of media and Kent. Is Medway council effectively funding schools from another LA? Is there a measure of protection for Medway children being able to apply?** A – The LA cannot legally alter the catchment areas. It would be up to the Trust academy admissions. **Schools in Financial difficulty due to Pan size class management**In 2018-19 Medway created a Schools in Financial Difficulty due to PAN Class Size Policy, which has been revised several times since it was introduced. This policy is known as the small class size policy.Schools can request funding support if schools meet the following criteria:* + A school can't reduce their published admissions numbers due to statuary school class sizes in key stage 1, i.e., years R, 1 and 2.
	+ Where the place planning team determine there is a requirement for a minimum percentage of the surplus places within the next three years and can't enter into a local area amendment arrangement? Especially where the school has requested to reduce their PAN or enter into a local agreement which the LA has denied.
	+ The school does not receive pupil growth funding support for new classes.
	+ This funding is not intended to support schools that fall into financial difficulties through budget mismanagement.
	+ The Small class size funding is per class for year R, 1 and 2 as it moves through the school.
	+ A school will not be eligible or will stop being eligible for funding if the class is more than two thirds full of schools with a PAN of 60 or less across key stage 1. I.e., 21 for a PAN of 30, 41 for a PAN of 60.
	+ A school will not be eligible or will stop being eligible for funding if the class is more than 67% full of schools with a PAN of 90 across key stage 1. I.e., 75 for a PAN of 90.
	+ A school or academy will receive £4,180 per primary and £5,215 per secondary pupil up to a maximum of £55,000 per class per year. The £55,000 will be pro-rated against the maximum PAN allowable.

Schools are expected to submit a business case for approval by the Schools Forum in November to discuss at the January Schools Forum meeting with funding starting from September. I.e., submit a business case in November 2020, Schools Forum approval in January 2021 with funding to start from September 2021. Where business cases are rejected, schools will be told why.Four school business cases have already been preapproved before the January 2021 meeting at the cost of £236,060. A contingency of £113,940 has been created to include the business cases discussed at the January 2021 meeting. If the Schools Forum members approve all of the actions outlined above, the 2021-22 growth fund budget will be £511,400 compared to the £1,363,500 allocated in 2020-21.The members discussed, voted and agreed on the following points.**Decisions -** 1. **To approve the ongoing PAN commitments, table 1 above. APPROVED**
2. **To approve the new specified school PAN, increase as per table 2 above. APPROVED**
3. **To approve the one newly unspecified school PAN, increase as per table 3 above. APPROVED**
4. **To approve the new bulge class PAN, increase as per, table 4 above. APPROVED**
5. **To ratify the preapproved business cases above. APPROVED**
6. **To approve the contingency budget to fund the SIFD business cases not yet submitted or preapproved as per section 3.5 above. APPROVED**
7. **To Ratify the Growth fund budget of £511,400 for 2021-22. APPROVED**
 |
|  | **Centrally Retained Budgets for 2021-22**  | **MB presented the 2021-2022 Local Authority Centrally Retained Budgets reports.** The Schools Block Dedicated Schools Grant (DSG) funds budgets delegated to schools/academies (via the funding formula) and funding retained by the Local Authority (LA) to support schools.From April 2018, the DSG was split into four blocks of funding: the LA's central services school block (CSSB) funding, which requires ratification and approval by the Schools' Forum. LAs can only retain funds for the provision of central education services in circumstances which have been set by the Department for Education (DFE); these are known as Centrally Retained Budgets and fall into three headings;1. Statutory Functions of the Local Authority
2. Growth Fund
3. De-delegated Services

Each year the Schools Forum is required to approve the centrally retained budgets and the CSSB funding. **Statutory Functions of the Local Authority**The CSSB DSG funding is intended to provide LA's funding to continue to operate and run their statutory functions. For 2021-22 the DSG allocation awarded is £892,539 broken down as follows: **Table 1 – How is the CSSB funding spent?**

|  |  |  |
| --- | --- | --- |
| **Service** | **Total****Budget****2021-22****£** | **2021-22****SB retained Services****£** |
| C&A Directorate Management Team | 435,443 | 176,884 |
| Education Management Team | 250,833 | 242,323 |
| Schools Forum Administration | 5,000 | 5,000 |
| SACRE | 15,094 | 15,094 |
| Achieve Officer | 32,623 | 18,691 |
| Admissions and Medway Test – Excluding Appeals. | 414,557 | 414,557 |
| Governor Services | 19,990 | 19,990 |
| Total | **£1,173,540** | **892,539** |

2021/22 budgets are shown as gross and remain provisional until Council approves them in February.Any underspends at the year-end will be carried forward to fund the LA's statutory functions in 2022-2023.**Q – Historically, we do not spend the Schools Forum Administration budget; what happens to this underspend?** A - We spend around £1,000, the remainder going back into the central funding**Growth Funding Budget**The growth fund budget was discussed as part of another item on this agenda. The 2021-22 growth fund budget recommendation is £511,400 compared to £1,363,500 allocated in 2020-21 and £1,062,631 allocated in 2019/20.**De-Delegated Services**A shortlist of budgets is currently held centrally that must be delegated to schools/academies through the funding formula in 2021-22. However, the LA can ask for the Schools Forum to approve for them to be 'de-delegated' for these funds to be pooled centrally and managed by the LA. Any underspends at year-end will be carried forward to De-delegations or the Schools Block of the Dedicated Schools Grant.De-delegation applies only to mainstream maintained schools (so not academies, special schools or PRUs) as only these schools would benefit from the services that are funded centrally. It is, however, possible for academies, special schools and PRUs to buy into these services as part of the LA's 'buy-back.' **Trade Union Facilities**For 2020-21 the Schools Forum approved a de-delegation of £1.45 per pupil from both primary and secondary schools, which enables the teaching unions to represent their members in disciplinary, grievance, and complaints hearings and to respond to LA consultations on policies and procedures which affect teaching staff in Medway schools.The budget is used to reimburse schools that employ the union reps, so the schools concerned don't bear the cost of covering their absence. Giving teachers access to local expert trade union support can benefit both schools and the LA in terms of improved employee relations in schools.This service cost is the same for both academies and maintained schools but has been pro-rated to reflect the different financial years for academies and maintained schools.**Central Services**Pre 2019-20, the local authority received an education service grant paid for the LA's statuary services regarding schools. In 2017-18 this grant was rolled into the schools block DSG. At their meeting in October 2018, the schools forum members provisionally agreed to de-delated £66 per pupil for both primary and secondary schools again in 2020-21. The Council is requesting to delegate this funding again in 2021-22. Table 2 below shows how this funding will be spent. **Table 2 – Schools Top Slicing.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Responsibilities for maintained schools**  | **Total** **Budget****2021-22** **£** | **School Contribution %** | **Schools Contribution** **2021-22****£** |
| Functions relating to LA pensions:a) administration of teachers' pensions b) Retrospective membership of pension schemes. \*c) Dismissal or premature retirement\*\* when costs cannot be charged to the school directly. | 635,435 | 43% | 273,913 |
| General Landlord Duties | 259,996 | 10% | 26,383 |
| National curriculum assessments and virtual headteacher. | 100,000 | 100% | 100,000 |
| Monitoring of school improvement.  | 173,937 | 100% | 173,937 |
| Total | **£1,169,368** | **49%** | **£574,233** |

21/22 Budgets are provisional until agreed by Council in February.The members discussed, voted and agreed on the following points.**Decisions -** 1. **The Central Service School Block funding of £892,539 as per above. APPROVED**
2. **To Ratify the Growth fund budget of £511,400 for 2021-22. APPROVED**
3. **De-delegated Services, as highlighted in this report. APPROVED**
4. **Trade Union support - £1.59 per pupil for both primary and secondary. APPROVED**
5. **Central Services - £66.00 per pupil for both primary and secondary Schools. APPROVED**
 |
|  | **Final Funding Formula 2021-22**  | **MB presented The Final Schools and Academies Funding Formula 2021-22 report to the members outlining the following points;**At previous Schools Forum meetings and previous papers on this agenda, members discussed and agreed the following:* To use a local funding formula that is moving towards the NFF.
* The 9 factors to be included in Medway's local funding formula.
* To continue to use the Sparsity tapering and lump-sum method.
* To transfer £895,000 or up to 0.5% of the Schools Block to the High Needs Block.
* To fund the Outreach contract in 2021 at the cost of £505,000.
* To repay the 2020-21 Schools Block overspend from the 2021-22 allocation.
* To use the governments minimum funding guarantees:
	+ A 0.5% year on year baseline per-pupil increase.
	+ Primary Schools will receive at least £4,180 per pupil and £5,415 for Secondary Schools.
	+ To remove the cap on school gains.

**Final 2021-22 Schools and Academies Funding Formula**The final 2021-22 schools and academies funding formula, funding factors remain the same as the provisional formula.The funding unit costs remain the same as the provisional formulas except for the lump sum, which has increased to £75,400. This is an increase of £400 compared to the lump sum previously reported to the Schools Forum. The lump-sum is the only funding factor not set at the national funding formula level. The authority would need an additional £1.863m of a grant to match the national level of £117,800. Please see appendix 2 showing the final funding formula unit costs.Under this formula, there will be 89 schools that gain funding and six schools that lose funding: * + - All six schools that have lost funding have seen a reduction in pupil numbers. The budget reductions range from a reduction of £8,667 (10 pupils) to £76,151 (69 pupils.)
		- Thirty-six schools have gained funding but lost pupils. Each school has seen an increase in the average funding on a per-pupil basis.
		- No school has reduced the average funding per pupil amount when including the teachers' pay and pension grant. However, if this grant is removed, four primary schools will reduce the per-pupil funding ranging from £4 - £70. All four schools, however, are receiving more than the £4,180 MFG.

**2021-22 Schools Block Dedicated Schools Grant (SB DSG)**The Funding Formula is used to distribute the Schools Block element of the DSG to all mainstream schools and academies fairly and transparently.The total SB allocation available for distribution after allowable deductions is £207,887,245 (£187,438,191 in 2020/21, an increase of 10.9%) calculated as follows;Initial Allocation Schools Block £210,074,345Less: 2021-22 Growth Fund (£511,400)Less: School block 2020-21 repayment (£ 275,700)Less: School block to HN Block Transfer (£ 895,000)Less: Outreach contract (£ 505,000)Total for Allocation in Funding Formula **£207,887,245**However, the 2021-22 allocation includes the teachers' pay and teachers' pension grants, which were separate grants in previous years. If this funding is removed, the total for distribution is £198,788,649 an increase of 6%.Table 1 below shows the total funding allocated for each funding factor in 2021-22 and 2020-21 for comparison.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Funding Factor | 2021-22 Allocation £m | 2021-22 Percentage  | 2020-21 Allocation £m | 2020-21 Percentage |
| Basic Entitlement – Primary | 77.744 | 37.40% | 71.167 | 37.97% |
| Basic Entitlement – Secondary | 79.840 | 38.41% | 70.291 | 37.50% |
| Deprivation | 19.618 | 9.44% | 16.821 | 8.97% |
| Prior Attainment | 13.233 | 6.37% | 13.132 | 7.01% |
| EAL | 1.453 | 0.70% | 1.434 | 0.77% |
| Mobility | 0.223 | 0.11% | 0.416 | 0.22% |
| Lump Sum | 7.163 | 3.45% | 7.301 | 3.9% |
| Split Sites | 0.121 | 0.06% | 0.115 | 0.06% |
| Sparsity | 0 | 0.00% | 0.011 | 0.01% |
| Rates | 1.714 | 0.82% | 1.782 | 0.95% |
| Exceptional Circumstances (Listed Building & Monument) | 0.073 | 0.04% | 0.068 | 0.04% |
| School Amalgamations | 0.059 | 0.03% | 0.000 | 0.00% |
| Sub Total | **201.241** | **96.80%** | **182.529** | **97.38%** |
| MFG  | 6.645 | 3.20% | 4.908 | 2.62% |
| Total Delegated | **207.887** | **100.00%** | **187.437** | **100.00%** |

*Rounding differences will occur in the above table and relate to the LFF.*Table 2 below highlights the difference between the DSG School Block allocation provided and how the formula has allocated the funding.

|  |  |  |  |
| --- | --- | --- | --- |
| Funding Factor | SB DSG Allocation £m | Formula Allocation £m | Variance £m |
| Pupil Funding – including teachers' pay & pension grant | 206.317 | 204.272 | (2.045) |
| Premises and Mobility Factors | 1.965 | 2.190 | 0.225 |
| Growth Fund | 1.792 | 1.936 | 0.144 |
| Block Transfers and other movements | 0 | 1.676 | 1.676 |
| Total Funding | **210.074** | **210.074** | **0.000** |

Included within the block transfers and other movements are the £895,000 schools block transfer to the high need block to help with the high needs deficit recovery, the £505,000 2021-22 outreach contract and the repayment of the 2020-21 overspend on the schools block due to the bulge class error. All three spends were approved at the last Schools Forum meeting.Additional Information:1. Primary pupil numbers (excluding nursery pupils and PAN variations) have increased from 24,658 in 2020-21 to 24,894 in 2021-22, an increase of 236 pupils.
2. Secondary pupil numbers (pre-16) have increased from 16,473.5 in 2020-21 to 17,303.5, increasing 830 pupils. The 0.5 represents at least one duel registered pupil or a pupil funded for part of the year.
3. 76.0% of funding is distributed through the basic entitlement factor in 2020-21 compared to 75.8% in 2020-21 or 77.9% in 2019-20.
4. 92.65% of funding is distributed through pupil lead factors compared to 92.89% in 2020-21 or 93.5% in 2019-20.
5. Primary schools will receive at least £4,180 per pupil and £5,415 for secondary schools.

MB advised that the Funding formula allocations for 2021-22 (i.e., the Schools Block allocation) will be notified to schools and academies as follows;28th February 2021: Medway to confirm allocations to schools31st March 2021: ESFA to confirm allocations to academies**Q - Regarding the repayment of the overspend from the previous year, do we have this overspend next year; where did it come from?**A – It is £450,000 because we counted in last year's budget four classes as bulge classes when they were ongoing commitments. We gave the funding this year and will have to recoup it next year. A member noted that the agreement to top slice the outreach funding cost was for this year only and will be reviewed to allow others to bid for this etc. It was also commented that the 0.5% high needs increase was only for this coming year to allow for the changes and savings to come into place. The members noted that it is very positive that the formula is now almost in line with the national formula, and this should be celebrated. CK agreed on these points, and he pointed out that the O.5% will be reviewed yearly. **The confidential appendix points shown in confidential minutes.** The members discussed, voted and agreed on the following points.**Decision;** * **To agree and ratify the transfer of £895,000 from the school's block to the high needs block to help with the high needs deficit. AGREED**
* **To agree to repay the 2020-21 DSG Schools Block overspend of £275,700. AGREED**
* **To agree and ratify the transfer of £505,000 from the school's block to the high needs block to pay for the outreach contract in 2021-22. AGREED**
* **To agree to recommend to the Medway's Cabinet to approve the Final Schools and Academies Funding Formula 2021-22. This will then be reported to the Council's Cabinet on 4th February 2021 for 'political approval' – as per ESFA instructions. AGREED**
 |
|  | **The Forward Plan 2021-22** | The next meeting was noted as 19th May 2021 at 2.30 pm |
|  | **AOB** | Julia Harris – Trade union Representative non-attendance since Jan 2020. Action - Clerk to try to contact Julia Harris. |
|  | **Meeting Ended 16.00** |  |

Signed by Chair ……………………………………………………………………….……. Date: ………………………………

|  |  |
| --- | --- |
| **ACTIONS** | **RESP** |
| Action - Clerk to try to contact Julia Harris via the trade union.  | Clerk |

Confidential minutes.

|  |  |  |
| --- | --- | --- |
| 6 | **Funding Support Business Cases**  | Confidential Maria Beaney presented St. Peters Infant schools business case. MB advised that the business case was from St Peters Infant school, under the schools in financial difficulty policy. The applicant requests £55k as years one and two are significantly under the minimum number of pupils for each class. MB advised that the school should receive £29,260 for seven pupils under the minimum funding guarantee. MB recommended this the schools forum to approve this request and invited comment and questions. **Q – The school was funded last year. Is this that will happen annually?** A – Yes, this school was funded last year, and it is likely to happen next year. There is a particular issue in Medway where we have an oversupply of numbers. The KS1 criteria stop the school from altering its staffing structures. This school has recovered earlier than expected. The business cases should come each year by Nov ready for review at the Jan meetings. The LA is expecting this school to come back next year. **Q - You have identified the set class sizes for KS1 as 30, but how does this work for a school with a PAN 40. This doesn't help them with their PAN of 38 going forward, even when things aren't difficult. Can you clarify this?** A -Currently, the school is an Infant with a pan of 40 and is looking to move to a primary with a PAN of 30. This has been delayed due to the building works program. **Decision – The school forum agreed to award St Peters Infant school -£29260. All members agreed.** MB advised that she has identified four additional schools that have met the criteria but have not submitted a funding request. She had tried to contact the schools, and only one has responded. **Q –Can we bring any cases that meet the schools' Forum's criteria without the need for a business case if we know they meet the criteria and the policy? The schools cannot know they can apply; otherwise, they would have done so.** A – Some schools do not want the money. However, it was part of the policy that schools have to submit a business case. It is always difficult to get the business cases for the January meetings. The members discussed the need for business cases for the Forum and if they are needed. MB noted that she would still need the schools forum to agree on the funding but could remove the business case element if the members agreed to this. A member noted that it is important that HT go through the process of looking at cost-saving measures before submitting a business case. It is very difficult to understand that a school in need would not apply for this. It has been communicated via different means, and the LA contract the schools directly. A member noted it was important to look at trends and supporting those schools which do not regularly request funding. As soon as the children leave year two, the funding stops, but the schools do not have this support. All schools must engage in this process. The representatives should ensure that their schools are notified. Kirstin Barker deferred from this discussion due to conflict. Maria Beaney presented St James C of England school business case.Requesting £37,500. The school has 76 pupils across 3-year groups. 20 in yr. R26 in yr. 130 in yr. 2The funding is requested for year one additional pupil over the 2/3 full MB suggested £4,180 as part of the policy. On offer day, the school had 24, which took them over the policy threshold. **Decision – The school forum agreed to award St James Infant school -£4,180** |
| 10. | **Final Funding Formula 2021-22** | Confidential appendix. **MB shared the Schools and Academies Funding Formula.**MB stated to member shat each year, the government issues guidance to ensure each local authority calculates its school funding using the same methodology. However, it's a local decision on which of the available 13 funding factors a local authority chooses to introduce into its funding formula.There are ten funding factors included in Medway Schools and Academies Funding Formula, and they are:1. **Basic Entitlement**

A compulsory factor assigns funding per-pupil basis for each school or academy based on the October census multiplied by a unit funding rate. There are different funding rates for key stage 2, 3 and 4, and primary age pupils.1. **Deprivation**

A compulsory factor that assigns funding to pupils from deprived areas. LAs can either use the free school's meals indicator and the income deprivation affecting children index (IDACI).Medway uses both, and different funding rates are attached to each level of the IDACI system with different funding rates for primary and secondary.1. **Prior Attainment**

This is an optional factor that acts as a proxy indicator for low level, high incidence special educational needs.Funding is applied for primary pupils not achieving the expected development level within the Early Years Foundation Stage and for secondary pupils not reaching L4 at KS2 in either English or maths.1. **English as Another Language**

This is an optional factor where EAL pupils may attract funding for up to 3 years after entering the school system based on census data.1. **Pupil Mobility**

This is an optional factor that measures the pupils who entered a school during the last three years who did not start in August, September or January of a reception class. There is a 10% minimum threshold; therefore, if a school/academy has a 12% mobility factor, 2% (12% - 10%) of the school/academy pupils will attract mobility funding. No longer used by Medway.1. **Sparsity**

This is an optional factor. To qualify for this funding, the school or academy must meet two criteria set by the government; first, they are located in an area where pupils would have to travel a significant distance to the nearest school; and second, they are a small school. Primary schools/academies must have a sparsity distance greater than 2 miles and an average year group of less than 21.4Secondary school/academies must have a sparsity distance greater than 3 miles and an average year group of less than 120.All through school/academies must have a sparsity distance greater than 2 miles and an average year group of less than 62.5?The maximum funding is £25,000 for primary schools and £65,000 for secondary schools tapered (pro-rata) to the class size and distance. 1. **Lump-Sum**

This is an optional factor where each school will receive a maximum lump sum up to £117,800. The lump-sum may be different for primary and secondary schools/academies, but Medway has the same lump sum for primary and secondary schools/academies at £75,400.1. **Split Sites**

This is an optional factor that is designed to help support schools that are located on separate sites. A road must separate the school sites. Schools sharing facilities, federated schools and schools with remote sixth forms are NOT eligible for split-site funding.1. **Rates**

This is an optional factor that funds a school or academy based on their estimated rates bills for the coming year. Medway also adjusts the rates funding to account for any over or underfunding of rates from the previous financial year.1. **Exceptional Premises Factors**

This is an optional factor where LAs can apply to the ESFA to use exceptional factors relating to premises. These factors must be more than 1% of a schools budget and apply to fewer than 5% of Medway schools and academies. There are two ESFA approved exceptional factors for Medway. Firstly, a listed building factor and secondly, an Amalgamated Schools/Academies factor.**Q - The number on roll figures; where is this from, and is this adjusted?** A - Yes, they are adjusted from the ESFA census data; for example, a child could be jointly on two schools census and shown as a 0 .5 of funding. If you are given a new class, the LA will adjust 7/12th of this, shown in the formula.**Q -The average per-pupil funding rate for the years 21.22 includes the pension and salary grants?** A \_ Yes, it does. Decision as noted in the full minute document.  |