|  |  |  |  |
| --- | --- | --- | --- |
| Members: | **Position** | **Voting** | **Attendance** |
| Vacancy | Primary Maintained Headteacher | Voting |  |
| Karen Joy | Special Maintained Headteacher | Voting | Absent |
| Karen Bennett | PRU Maintained Headteacher | Voting | Present |
| Tim Williams | Primary Academy Headteacher | Voting | Apologizes |
| 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 -Vice Chair | Governor Secondary Maintained | Voting | Apologizes |
| Peter Martin – Chair | Governor Secondary Academy | Voting | Present |
| Vacancy | Governor Special and PRU | Voting |  |
| Hannah Cartwright | Early Years Representative | Non-voting | Apologies |
| Simon Cook | 16-19 Provider Representative | Non-voting | Present |
| Kirstin Barker | C of E Diocese Representative | Voting | Present |
| Clare Redmond | RC Diocese Representative | Voting | Apologies |
| Vacancy | Teaching Unions Representative | Non-voting |  |
| Stuart Gardiner | CFO Multi Academy Trust | Voting | Apologies |
| In attendance: |  |  |  |
| Chris Kiernan  | Assistant Director of Education and SEND LA. |  |  |
| Maria Beaney  | Finance Business partner LA. |  |  |
| Lee-Anne Farach | Director of People - Children and Adults' Services LA |  |  |
| Sarah Phillipson | Governance Professional  |  |  |
| Daniel Martin | LA Finance  |  |  |

|  |  |  |
| --- | --- | --- |
| No | Agenda Point | Discussion |
| 1. | **Apologies** | **Apologies** were given by Clive Malling, Tim Williams, Hannah Cartwright, Clare Redmond, Stuart Gardiner; these were accepted. The meeting was quorate.  |
| 2 | **Declarations of Interest** | No Changes to the previously shared declarations. |
| 3 | **Minutes from the previous meeting** | **Accuracy**All minutes were agreed as an accurate representation of the meeting.Matters arising. *Action - CK to communicate with Bradfields regarding behaviour support investigate if they would be a bidder on the terms offered. CK offered to explore this further for the September meeting. – Response included in CK full report.*  |
| 4 | **2021-22 Round 1 Monitoring SB Centrally Retained Services** | CK advised that 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. The DSG is split into four blocks of funding: the LA's central services school block (CSSB) funding, which requires ratification and approval by the Schools Forum. LA's can only retain funds for providing central education services in circumstances that the Department has set for Education (DFE); these are known as Centrally Retained Budgets. CK noted that Medway has a very low central block allocation compared to the percentage of DSG that other authorities receive; this results in a constrained budget. MB added that when the DSG was first introduced, the LA also had another grant called the education services grant. The LA had the option to choose what piece of education expenditure was funded from which grant. So, while LA central services funding is low, the top pricing for maintained schools is high. Kent is the other way around. The delegation for maintained schools is lower, but Kent's funding from the central government is higher, equalising those out. One of the issues the LA has been trying to work with the ESFA is to level this out effectively, but at this point, the LA has to use the set mechanism. **Statutory Functions of the Local Authority**Find table at the bottom of the document.**De-delegated Services**CK advised that the funding of the de-delegated service is intended to provide funding for LAs to continue to operate their statutory functions for maintained schools only and is agreed as a top slice.Any underspends at the year-end will be carried forward to in 2022-2023.Find table at the bottom of the document.**Q –It would be very helpful to understand what the LA provides for education management team funding. Particularly the C&A Directorate management teams. It will be helpful to know what they do and whom they do that for, and whether it's LA schools and the academies. This is so the academy sector can understand exactly what we're paying for and what we are receiving from that top slice?**A –The question relates to maintained schools and De- delegations, but the specific information you wanted was about the education management team in the central block. It is good practice for the LA to share information on its spending in the central block. The LA can assure the Schools forum that the education management team is purely the education functions. The LA notes that it needs to be completely transparent about this with the members approving spending in the central block on relevant things. A forum member requested more detail to allow academies to ensure value for money and to monitor that they are not buying into services they could refer to LA for. The member added that knowing what's already available isn't easy without seeing the information broken down on a line-by-line basis.CK noted that the LA would consider this in the future and clarified that all services shown in the statutory functions are for all schools. The De-delegated services are for maintained schools only. Action – MB to ensure that the detailed information request is considered when providing data during the consultation. **Q- I am not so sure the cash value is as relevant as perhaps the percentage of the DSG would be helpful to see that year on year. The question is, do we have comparative figures because, as you said, the amount of resource that has to go into the admissions and the Medway test would be similar to, say, Buckingham or other areas with high volumes of selective systems?**A -Yes, we can show these percentages and the comparable as requested. This can be added to the consultation.Action – MB to ensure that the percentage of the DSG and the comparative figures be provided in the consultation information.The Schools forum NOTED this report |
| 5. | **Provisional 2022-23 Funding Process – Maria Beaney** | **2022-22 Budget Setting Process: School and Academy Funding Formula Consultation 2022/23**MB advised the Schools forum that the National Funding Formula (NFF) operational guidance was published by the Education and Skills Finance Agency (ESFA) in July. The guidance is designed to help local authorities (LA) and their Schools Forums plan the local implementation of the funding system for 2022 to 2023 and the move towards an NFF. The LA must engage in open and transparent consultation with all maintained schools, academies and free schools in the area. It will notify the Schools Forum about any proposed changes to the funding formula, including the methods, principles and rules adopted. To gain input and comments, the documents are being presented today. MB advised that historically there has been a low response rate from schools and academies to our funding formula consultations. One of the most consistent reasons for non-returns is the consultation window of two weeks, so following on from 2021/22, the window will again be three weeks.A Schools forum member noted that the LA needs to consult with the colleges around the High Needs funding block. * **Decision - the Schools forum members voted to APPROVE the adoption of the proposed timetable, as shown above.**
* **2022-23 Changes to the National Funding Formula (NFF)**
* MB explained that the proposed formula in 2022-23 is similar to that in 2021-22. However, the LA has updated the following changes:
* Unit values have been increased as set out in appendix 2 in the pre-read documents.

MB added that the LA is proposing to set additional blocks in line with the National Funding Formula. The caveat to that is the lump sum. This is aiming for approximately. £121,000, because that is what it is under the National formula. Last year's formula lump sum was £75,000. MB explained that the LAs set the unit costs at the National figure and then run the formula through. Then reduce the lump sum until it's affordable under the total amount of funding. The LA propose to continue that methodology next year. The LA believes the lump sum will go no lower than it currently stands at £75,000. This is being reviewed, and the modellings are being considered based on some of the criteria. The highest expected figure is approximately £100,000; however, there are some gaps at the moment, and that is what LA propose to consult with. MB noted that the LA proposal would give a 0.5% increase on a per-pupil level next year compared to what they received this year. MB further noted that the LA does not protect against a drop in pupil numbers. * Based on the most up-to-date school and pupil characteristics data.
* Sparsity funding is now based on road distance instead of straight-line distance from pupils' home to school, and a sparsity distance taper has been introduced, in addition to the existing year group size taper.

**Q -Has the LA completed modelling to see how Sparsity funding will now affect Medway due to the change in the methodology, or is it so small that it will not have a large impact?**A- In the past, this only affected one school last year, In 2021. In 2022/23, it will not affect any schools. **Q- Regarding the 0.05% increase per pupil on funding. The DFE, when they sent out their block budget, talked about a 3.5% increase in funding. Is that because they are calculating 3.5% in total, as opposed to per pupil?**A- Yes, that is correct. The schools block funding has increased by 3.5%, but the DfE only guarantees 0.05% per pupil. **Q - So, in a situation where the local authority requests that a school take extra students due to being informed there will be increased numbers in the coming academic year. Therefore, schools take extra numbers, but they don't materialise, or that impacts other schools. Is there a mechanism to deal with the effects of this?**A- The mechanism the LA currently has in place is called Grant funding. So, where the LA asks one of the schools to open up new classes, the LA artificially inflates their pupil numbers to account for new classes. So, for example, if there is a primary school with a PAN of 90 and the LA ask them to go to a PAN of 120, the LA would increase the numbers on roll through the formula. However, if after the formula has been run, and the census data was collected, and then the school takes in additional pupils, they would have to wait to the next year in order to get the funding for those pupils. **Q - What if the school has been told there will be extra students and so have increased their PANs and there are not enough children. This also impacts other schools who do not get their PANs even though they were told there were enough children to fill both the bulge classes and extra students above the PAN?**A- No, there is not a mechanism in place for this unless they have protected numbers. No school has protected numbers in Medway. **Q - Can I ask them how the Local Authority can miscalculate to the extent that it has an adverse effect upon other schools due to the LA asking schools to up their PAN, so local schools next to them do not have the PAN they were expecting? How is it the case that the Local Authority cannot accurately predict the numbers in an area?**A- The LA has to submit this data, it is submitted a year in advance effectively, and this is based on information from the place planning team; they look at the modelling coming through. Then the LA create the additional places where it is expected for those numbers to come through. This is done almost a year in advance, and it can be that some schools gain from this and others do lose. CK added that the issue is getting it as right as possible. There are so many different factors, such as the Afghanistan situation and its impact locally, it isn't easy to predict. Different challenges arise all the time. While pupil place planning is very good at the LA (aside from SEND, where there are still required actions), it is far from perfect; it is likely not to change. Where a school is affected adversely by pupil planning and place planning decisions that the LA have taken, the LA has to be as sympathetic as it possibly can with the repercussions for that school.**Q- What is the mechanism for recompense or to ensure that those schools which are adversely affected are supported financially?**A - The funding the LA gets for schools comes through the formula, so any agreed mitigation will impact somewhere within the budget. For example, if the LA set £150,000 of funding aside to mitigate this issue, that £150,000 comes off of every single school, and it just reduces the lump sum even further. When those issues arise, the government does not build any additional funding to factor in any issues; therefore, the LA cannot build it in unless it is taken from other aspects of the formula.A Schools forum member noted that there probably needs to be further conversations with the schools and the LA because it is a key issue. * Pupils eligible for free school meals are now taken from the October 2020 school census instead of the January 2021 census.
* In calculating low prior attainment proportions, data from the 2019 early years foundation stage profile (EYFSP) and key stage 2 (KS2) tests are used as a proxy for the 2020 assessments, which were cancelled due to the pandemic.
* Pupils who joined a school between January and May 2020 attract funding for mobility based on their entry date, rather than by virtue of the May school census being their first census at the current school (the May 2020 census was cancelled due to COVID-19).

**Q – Regarding an itemisation of the top slice that's kept back for the centre retained services, is it possible for us to have a breakdown of that, whether it is historical, the budgeted or both, preferably?**A- Yes, this is included in Agenda Item 4 - and also goes out to schools every year as part of the full consultation. **Decision - The Schools forum members voted to SUPPORT the Council's request to mirror the NFF rates wherever possible in Appendix 2**.* **Decision - The Schools forum members voted to SUPPORT the Council's proposals on the consultation with schools and academies as outlined above and using the rates in Appendix 2 as part of the consultation.**
* MB advised that the LA will now consult with all Schools and Academies in Medway about the options outlined in this report and report to the Schools Forum. An e-mail will be sent to all headteachers, governors and school finance officers for both Schools and Academies, inviting them to offer a consultation response.
* **Q- It would be really helpful, particularly with report number five around pupils with SEND, to see any of the spend profiles over previous years out of the county, out of the region and per-pupil spend, because I'm assuming the deficits not getting any smaller?**
* A - That information is published under the previous iterations and can be provided as part of the recovery plan. The deficit on the high needs block will continue to go up until 2025 /26.
* **Q - The assessment of pupil numbers coming through with SEND, is there data the Local Authority has got that might help pipeline planning?**
* A -The LA can't guarantee the accuracy of pupil SEND numbers to Specialists Education at this moment. The LA is engaged in an exercise, looking at this as carefully as possible as this is particularly critical. The LA is working with the EHCP numbers, but across the country, there is an increase that has not yet been taken into account in the high needs block deficit recovery plan.
* **Q - Have the LA also factored in the ECHP children staying in Education until 25 the costs associated with this and new children with SEND into the system?**

A - Yes, but what has not yet been considered is that those children who are successful in their independence no longer require an EHCP.  |
| 6. | **Support for schools for pupils with SEMH – Chris Kiernan** | CK apologised to the Schools forum and Paul Jackson, who had raised a query around the behaviour specialist support offered by the two trusts. A specific question was raised around the procurement of the behaviour support offered, and a question was made for a follow-up report. This has not been completed, but the report will be sent out before the decision-making meeting but not before the consultation period. CK noted that there is no work for behaviour contained within the budgets but comes under SEMH rather than behaviour issues. It aligns closely to SEND. The report will contain this and give more detail on the work completed.  |
| 7. | **Funding Support Business Cases** | None |
| 8. | **The Forward Plan 2021-22**. | The Schools forum members discussed the meeting type, e.g. Face to face or virtual. However, it was key to ensure that there was no cross over with LA meetings. There is an option to have a combination of both virtual and face to face meetings?**Q- Does the LA have the facilities to have both virtual and face to face to offer a combined model?** A- We would need to investigate this with Strood Academy. A member noted this would support those with medical needs etc. The agenda items are set for the next two meetings. 1st December and 12th January 2022. Action - MB to check with Strood Academy if the meeting rooms are available and if they have the option for members to access the meeting virtually. * The Schools forum members noted that they needed the pre-read documents earlier to allow for sufficient reading time. Five days was agreed as a minimum. The Meeting minutes were also noted and discussed, and the need to have these quickly after the meeting. CK requested that they be drafted and published on the Headway system to allow access for all. MB and the clerk will consult and agree on a plan to address this.
* **Decision - Face to face meetings were agreed to be held at Strood Academy (if possible) a 4 pm to 6 pm.**
 |
| 9 | **AOB**  | **Teaching TA back payment update**CK advised that the LA had a series of meetings with trade unions and negotiators on behalf of the LA and partners, who indicated they wanted to work with the LA (90% of the schools.) The LA has had difficult but extremely friendly and positive negotiations with the trade unions. The reason is the weekly or fortnightly meetings held with the LA, head teachers and all the regional and local trade union officials. This has involved ACAS, and even when matters have been difficult, everyone has been helpful and professional. The most recent update is that the final position is two years, which is non-negotiable. The trade unions will vote on the offer and recommend that their members do not vote against it. There's a bit of detail about the offer; for instance, it is based on current pay, subject to National Insurance, pension payments so that staff will get pension enhancement. It keeps the costs reasonable for all our schools, including the special schools. The payments should be ready for Christmas. **Q -Who is responsible for finding the funding for this?**A - Each institution is responsible for finding this. **Q -Even though other authorities have paid their schools?**A - Other authorities have paid using the schools funding, taken from top-slicing. Some schools have kept high reserves for this. **Year 8 place planning.** A Schools forum member noted he had been asked to bring an issue regarding Yr. 8 spaces and the massive influx of children coming into Medway schools. He advised that there have been 17 children coming through the process so far, and almost all of them were not qualifying for FAP. The children had been out of education for weeks due to all schools in Medway except one being over PAN. The schools have asked for this to be brought to Schools forums attention. The schools were asked to consider approving a mechanism to provide year funding for those additional pupils. The Schools forum member noted there are currently 17 children in this situation and an additional 10 in two weeks or three weeks, all for year 8. Soon, schools will not cope with the additional pupils without additional funds to pay for additional staffing. The proposal suggested that the Schools forum agrees on additional students' funding this year only, as the schools can plan for next year. This is an immediate need. If the Schools forum is happy to consider this, Paul Clarke will put an urgent package together, and an urgent meeting could be agreed upon. MB stated that funding would depend on what type of class. Suppose a school was taking two or three pupils. In that case, that would be classified under the LAG funding. The school has to absorb that; if a school is willing to take any additional class, for example, 30 pupils will come under the growth funding policy, which would come under the growth funding policy gives additional funding. The problem is this would cost around £160,000, which, therefore, that would send the growth fund budget over budget this year, which would then have to be pulled back and repaid from next year school funding. This means the LA would have to take and reduce the school's block lump sum even further. This can be investigated further. The Schools forum member clarified the idea would be that if a school took over a certain number of pupils, it would qualify for a payment per pupil. The school would take the first five pupils free because these can be placed into classes that do not have much impact; however, there's a payment per pupil after those five. (After they've been in the school for six weeks - eight weeks). The growth funding formula does not work at a secondary level as the staffing issue cannot be solved by employing one classroom teacher.MB agreed that she could investigate this further. CK noted this was an issue that would continue throughout the year. It has come from a variety of factors. There is a demographic increase and increasing. There may be a pattern in the future, and plan for this. A Schools forum member noted that there would be a point when schools have to refuse pupils. The schools are reaching a crisis point.CK agreed to bring a proposal to the next Schools forum meeting. Paul Clarke can produce a detailed plan for this year along with a long-term plan. MB added to bring the proposal to the next meeting, as the LA has to look at the DSG legislation. The LA cannot operate a LAG funding system. The LA doesn't have the policy to do that; to introduce a new policy around funding from the school's block, the LA has to consult with schools and academies. The LA needs the time to produce a document to come to the next forum meeting. The chair added that a point of action for present year 8 needs to be taken on board very quickly as the next meeting will be in December; there will be at least three FAP meetings between now and then, which is around 27/30 pupils. Consideration needs to be made on how the schools are going to fund this. MB added that, unfortunately, there is no funding within the system, and the guidance does not allow the LA to fund LAG pupils. It's something that the LA needs to discuss further. CK commented that this is an emergency but not a crisis situation. The local authority is responsible for ensuring the sufficiency of places; if it cannot do this, it will have to make provisions outside the school system. Action - The proposal for funding support for additional Year 8 pupils and future plans to come to the next Schools Forum meeting. MB and PC. A Schools forum member stated. The LA must find a way of factoring in the college's post 16 numbers within its place planning. There is more than enough capacity in the colleges. These numbers must be factored in because that will alleviate pressure, and it must be considered in the numbers for place planning in for the future. Otherwise, it gives a very distorted picture.CK stated he agreed but noted it is difficult due to parents requesting 6th forms. There needs to be a student through flow. LF noted this would be CK's last meeting with the Schools Forum and thanked CK for his work and support. His replacement will be Celia Buxton. All members agreed on a vote of thanks for CK. Meeting ended at 15.30 |
|  |  |  |

**Statutory Functions of the Local Authority**

This funding is intended to provide funding for LAs to continue to operate their statutory functions for both maintained schools and academies.

|  |  |  |  |
| --- | --- | --- | --- |
| **Service** | 2021-22Budget£ | 2021-22 Forecast (June 2021)£ | Variance£ |
| C&A Directorate Management Team | 176,884 | 176,84 | 0 |
| Education Management Team | 242,323 | 242,323 | 0 |
| Schools Forum Administration | 5,000 | 1,000 | (4,000) |
| SACRE | 15,094 | 15,094 | 0 |
| Achieve Officer | 18,691 | 18,691 | 0 |
| Admissions and Medway Test – Excluding Appeals. | 414,557 | 414,557 | 0 |
| Governor Services | 19,990 | 19,990 | 0 |
| Total | **892,539** | **888,539** | **(4,000)** |

CK advised that the funding of the de-delegated service is intended to provide funding for LAs to continue to operate their statutory functions for maintained schools only and is agreed as a top slice.

Any underspends at the year-end will be carried forward to in 2022-2023.

|  |  |  |  |
| --- | --- | --- | --- |
| **Responsibilities for maintained schools**  | 2021-22Budget£ | 2021-22 Forecast (June 2021)£ | Variance£ |
| Functions relating to LA pensions: | 273,913 | 273,913 | 0 |
| General Landlord Duties | 26,383 | 26,383 | 0 |
| National curriculum assessments and virtual head teacher. | 100,000 | 100,000 | 0 |
| Monitoring of school improvement.  | 173,937 | 173,937 | 0 |
| Total | **£574,233** | **£574,233** | **0** |

The proposed 2022-2023 School and Academy funding formula timetable is:

School/Academy Funding Formula 2022-23 Timetable:

|  |  |
| --- | --- |
| Sept 2021 | Information from DFE to LA  |
| Sept 2021 | High Needs and School Block funding operational guide from the ESFA 2022 to 2023 growth allocations will be provided to local authorities |
| 7 Oct 2021 | Census Day |
| 1 Nov 2021 | LA to model & consult with schools/academies for 3 weeks |
| 21st November 2021 | Deadline for schools/academies consultation |
| Nov/Dec 2021 | DFE/LA (Management Information Team) validation of School Census |
| Mid-Dec 2021 | School Census Data available DFE issues Funding Formula Return (APT) to LAs, with School Census (Oct.20) dataLA able to estimate Schools Block – Dedicated Schools Grant allocation for 22-23 |
| **12th January 2022** | **Schools Forum Meeting – Schools Forum & LA to decide & approve Final 22-23 funding formula.** |
| 21st January 2022 | Funding Formula Return (APT) to be submitted to EFA |
| Feb 2022 | Council Cabinet Approval for Final 2022-23 funding formula |
| 28th February 2022 | Schools to be informed of Schools Block allocation 2022-23 by LA |
| 31st March 2022 | EFA informs academies of GAG |

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