

**Minutes of Dudley Schools Forum
Tuesday, 16th January, 2024 at 6.00 pm
Microsoft Teams**

Present:

Mrs J Belcher (Chair)

Mrs R Cox, Mr C Finnerty, Mrs A Hannaway, Mrs M Harris, Mrs J Higgins, Mrs V Howard, Mr S Lanckham, Mr P Leyshon, Ms L Maskell, Mrs S Parkes, Mr B Roe, Ms E Stanton, Miss F Sumner, Mr K Tranter, Mrs V Turner, Miss A Ward, Mrs A Webb and Mrs S Watson.

Non-Voting Officers:

C Driscoll (Director of Children's Services), C Ludwig (Finance Manager), M Palfreyman (Head of Education Outcomes and Inclusion), S Powell (Acting Head of SEND), S Thirlway (Service Director Education, SEND and Family Solutions), J Wilson (Senior Principal Accountant) and G Gray (Democratic Services Officer).

Also in Attendance

Councillor R Buttery (Cabinet Member for Children and Young People)

Councillor K Lewis (Chair of Children and Young People Select Committee)

26 Introductions by the Chair

The Chair welcomed everyone to the meeting.

27 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Mrs J Morgan and Mrs E O'Brien.

28 **Substitute Members**

There were no substitute Members appointed for this meeting of the Forum.

29 **Minutes**

In referring to Minute No. 17 - Head Teachers Consultative Forum – Budget Working Group Verbal Feedback, Mrs L Maskell commented that schools would be arranging for their own new catering providers and that they were not being arranged for schools.

In regard to Minute No. 23 – Delivering Best Value (DBV) in Special Educational Needs and Disabilities (SEND) update, Mrs R Cox, Academy Member queried whether the details of Headteacher Representation on each workstream of the DBV had been circulated. In response the Service Director Education, SEND and Family Solutions clarified that the details of the Membership would be circulated to Headteachers in due course.

Resolved

That, subject to the amendments and comments made above, the minutes of the meeting held on 14th November, 2023 be approved as a correct record and signed.

30 **Matters Arising from the Minutes**

No issues were raised under this agenda item.

31 **Head Teachers Consultative Forum – Budget Working Group Verbal Feedback**

Ms L Maskell, Primary School Headteacher Representative, provided feedback on the discussions held at the Head Teachers Consultative Forum – Budget Working Group (HTCF-BWG) meeting and it was reported that the Head of Inclusion and Outcomes provided an update advising that Headteacher meetings were being arranged for January and February, 2024 and the Primary School Headteacher meeting would concentrate on the update of the Delivering Better Value Programme.

The Budget Working Group were advised that the Local Authority were continuing to restructure and redesign services and it was noted that Social Care had entered into Phase 1 from 10th July, 2023 and that Education, Special Educational Needs and Disabilities (SEND) and Family Solutions entered into Phase 2 from 4th December, 2023.

The Local Authority continued to take steps to increase the number of SEND bases by a further eight on mainstream school sites within the Borough.

It was reiterated that Dudley Catering Services would cease on the 31st March, 2024 and that Schools had been entering into alternative contracts with suppliers.

It was noted that Alternative Provision and Inclusion Strategy Development would continue in January, 2024 with a view to be rolled out in the Spring Term, and that data concerning exclusions and suspensions were being scrutinised on a monthly basis and would be shared with school leaders.

It was reported that no further Office for Standards in Education (Ofsted) inspections had taken place since the previous update in November, 2023. It was advised that all inspections had been paused until 22nd January, 2024 to allow for inspectors to receive Continuing Professional Development (CPD).

It was advised that, all Headteachers were invited to attend a meeting with Tim Hill, the new Senior His Majesty's Inspectorate (HMI) for Dudley, in December, 2023.

Reference was made to the Dudley Community Toothbrush Scheme, which continued to be rolled out and the Health Related Behaviour Questionnaire, which aimed to support and understand the lives of children and young people and would be circulated to all schools in due course.

The Head of Education Outcomes and Inclusion shared in detail with the Budget Working Group the six new Education Senior Leadership Team (SLT) priorities for 2023 to 2025.

The Budget Working Group were provided with an update on the Dudley MBC budget situation, and it was noted that there would be no direct impact on school budgets, however, Local Authority services may be affected.

It was reported that a number of schools had been converted to Academy status since the last update in November, 2023, which included Thorns Primary School, Withymoor Primary School, Gig Mill Primary School, Newfield Park Primary School, Hawbush Primary School, Coseley Free School and Eton Star. It was noted that the Area Strategy continued to concentrate on growing the existing Trusts and retaining schools within local organisations where possible.

The Budget Working Group were provided with an update concerning the latest guidance on COVID-19, as schools continued to be affected by a small number of cases.

It was reported that an update regarding the position of the Dudley Schools Grant (DSG) and the process for the academic year 2024/25 was provided, and that there had been a detailed discussion concerning the Designated Schools Grant (DSG) Management plan 2024, which included additional planned or suggested actions within the Delivering Better Value (DBV) programme. The existing data from the 2023/2024 Pupil Growth Fund and projected plans for 2024/2025 were also shared with Members at the Budget Working Group.

The Budget Working Group were provided with an update regarding the latest developments and progress concerning the Delivering Better Value in SEND by W Bhatti, DBV Programme Lead. The update indicated the key developments within Workstreams 1 to 4. In particular, it was noted that School Leaders were being invited to a Schools Workshop Day on 15th January, 2024, which aimed to discuss and influence future SEND practices and provision.

Mrs A Hannaway, Primary School Headteacher representative, clarified that Gig Mill Primary School, Withymoor Primary School and Newfield Park Primary School had not yet converted to Academy status, however, it was expected that the Schools would be converted during the spring term.

In response to a question raised by Mrs R Cox, Academy Member representative, the Head of Education, Outcomes and Inclusion clarified that the SLT six key priorities had been shared with Headteachers at Headteacher meetings in September, 2023 and at the Business Managers Forum.

Resolved

That the feedback provided be noted.

32 Schools Forum Membership – Verbal Update

The Democratic Services Officer provided a verbal update and referred to the change of representation for Unions and Professional Associations in that Mrs V Turner had replaced Miss A Middleton following her resignation and would continue in the term of office until 30th April, 2025.

Resolved

That the verbal update on the Schools Forum Membership, be noted.

33 Dedicated Schools Grant Process 2024/25

A report of the Director of Children's Services was submitted on the 2024/25 Dedicated Schools Grant (DSG) budget process.

The Finance Manager presented the report in detail and in doing so, advised that the purpose of the report was to provide representatives with an update on the provisional 2024/25 DSG settlement that had been received on 19th December, 2023 and that DSG funding would continue to be distributed to the four funding blocks, namely the Schools Block, Early Years Block, High Needs Block and Central School Services Block.

Representatives were referred to the four recommendations set out in the report submitted and advised that further updates on the budget reports would be submitted to future meetings of the forum being held on 27th February, 2024 and 16th April, 2024. Approval would be required for the Minimum Funding Guarantee (MFG) for 2024/25 and the draft Authority Pro-forma Tool (APT) was referred to, which had been tabled as Appendix 1 of the report submitted.

The Finance Manager advised that the deadline for submission of the APT would be 22nd January, 2024, however, approval would need to be required for the level of the MFG funding and further clarification from the DfE was being sought concerning the new Split Site factor.

It was noted that the Early Years Block had increased significantly, and that Dudley was projected to receive £30m for 2024/25 due to the extension in entitlement to younger children, which would start from April, 2024. A detailed report regarding Early Years funding would be submitted to the next meeting of the Schools Forum on 27th February, 2024.

In referring to the High Needs Block it was reported that the total had increased by 5% to £54.1m for 2024/25. Further information would be submitted to future meetings of the Schools Forum concerning the pressures facing the High Needs Block and the historic DSG deficit.

The Finance Manager referred representatives to Paragraph 12 of the report submitted and it was noted that there would be an increase for Planned Places and Education and Skills Funding Agency (ESFA) Return in 2024/2025, which impacted upon the funding that the Local Authority distributed elsewhere. The ESFA would be notified that Bromley Pensnett Primary School, Rufford Primary School and The Crestwood School had increased by 12 pupil places as a result of new resource bases, together with an increase of 47 pupil places at Halesowen College due to the expansion of their SEND provision. The increase impacted upon the recruitment of the DSG funding with a deduction of £0.28m on the High Needs Block for 2024/25 for post 16 places.

Representatives were referred to Table 1 of the report submitted, which provided a summary of the provisional DSG for 2024/2025. In referring to the Central Schools Block it was noted that funding had been reduced to £1.849m as a result of a reduction of historic funding and that the Early Years Block had increased to £30.777m, which included the additional new funding for 15 hours for three and four year olds, 15 hours for two-year-olds and under two-year-old funding.

The Finance Manager reported that the National Funding Formula had changed to include split site funding within the Schools Block. It was advised that the split site funding allocation criteria was defined by schools being divided by a road, a public road or a railway line and the allocation would be approximately £50,000. It was noted that should the distance between sites be significant, schools could be eligible for further distance funding. The Finance Manager advised that clarification was being sought from the DfE on the relevant criteria for split sites. It was further noted that the National Funding Formula would now need to include the Sparsity factor, however, although this would be part of the formula Dudley Schools did not meet the criteria as the Sparsity factor related to Schools within rural areas.

The Finance Manager referred Representatives to the Local Authority Pro-Forma Tool (APT) presented at the meeting, which provided information regarding the overall budget and would be subject to questioning by the ESFA. The Finance Manager highlighted key points within the information presented and in doing so it was noted that the data for low prior attainment scores would be a rolling average over a three-year period, therefore, the 2022 outcomes had now been included as part of the rolling average, which impacted upon Schools allocations.

It was reported that the MFG operational guidelines, as detailed in Dudley's Authority Proforma Tool (APT), stated that Dudley MBC were proposing an MFG of 0.24% with a total cost of £118,338, which would have an impact on eight schools.

In responding to a query raised by Mrs R Cox, Academy Member Representative concerning when it was anticipated for the funding to be in line with the National Funding Formula, the Finance Manager clarified that the Local Authority were within range for the majority of the factors and that the difference was minimal.

In response to a further question raised by Mrs R Cox, Academy Member Representative concerning the criteria for the sparsity factor, the Finance Manager advised that sparsity factor was considered based on the range of where schools obtained their pupils and the distance, however, it was noted that the sparsity factor was based in rural areas, therefore, this had not been looked into in depth as this did not apply to the Dudley Borough.

The Finance Manager undertook to provide Representatives with further detail on the criterias for the new mandatory sparsity factor and split site factor.

In response to a query raised by Ms L Maskell, Primary School Headteacher representative the Finance Manager clarified that the deadline for Local Authorities to submit the final APT and the detailed tables to the ESFA would be on 22nd January, 2024, therefore, approval from the Schools Forum would need to be sought. It was advised that one School had been added, however, the Local Authority were confident that the MFG of 0.24% would protect the eight schools that were the lowest funded at the minimum of cost to all Schools.

The Finance Manager responded to questions raised by Mrs A Hannaway, Primary School Headteacher representative, concerning the eight schools that would be affected and in doing so clarified that the affected schools were Primary Schools and that there had been more than eight schools identified previously within 2023/2024. It was noted that the eight schools affected for 2024/2025 had already been within the bracket from the previous year.

Resolved

- (1) That the provisional Dedicated Schools Grant (DSG) settlement for 2024/25 and the impact for Dudley, be noted.
- (2) That further Dedicated School Grant updates, to include the central expenditure budget allocations for Schools Forum approval, be submitted to the meetings of the Forum on 27th February and 16th April, 2024.
- (3) That a Minimum Funding Guarantee for 2024/25 between 0.0% and 0.5% per pupil as specified in the latest operational guidance and as detailed in Dudley's Authority Proforma Tool (APT), and reported at the meeting, be approved.
- (4) That Dudley's APT Proforma submitted to the Education and Skills Funding Agency (ESFA), tabled as Appendix 1 to the report submitted, be noted.
- (5) That the Democratic Services Officer be requested to circulate the Dudley's APT Proforma submitted to the Education and Skills Funding Agency (ESFA), tabled as Appendix 1 to the report submitted and presented at the meeting to Representatives.
- (6) That the Finance Manager be requested to circulate the criteria for the new mandatory split site and sparsity factor to Representatives .

34 **Pupil Growth Fund 2023/24 and 2024/25**

A report of the Director of Children's Services was submitted on the latest financial information regarding funding allocated from the pupil growth fund contingency for the 2023/24 financial year and the new growth funding allocation received in the National Funding Formula for the 2024/25 financial year.

The Senior Principal Accountant provided a summary of the report submitted, and in doing so advised that the pupil growth funding calculations were for Secondary Schools that qualify for additional funding to meet the lag funding for the National Funding Formula for schools taking on additional pupils. It was advised that Schools would need to meet a certain criteria in order to qualify for the additional growth funding. The criteria primarily would be based on requests from the Local Authority to accept additional pupils and the reconciliation between the number of Year 11 leavers and the number of year 7 starters that exceeded 10 pupils within the year.

Representatives were referred to Table 1 of the report submitted, which outlined the seven Secondary Schools that qualified for pupil growth funding for 2023/2024. It was noted that £1,076,801.25 had been allocated for 323 pupils based on the growth funding method. The allocation for the financial year would be £906,000 and it was advised that there would be a deficit of approximately £170,000 due to the lagged funding, however, the DfE continued to allocate growth funding to Local Authorities and it was estimated that £1,464,770 of additional funding would be provided, which would go towards the underspend and the MFG allocation.

The Senior Principal Accountant referred to the eligibility criteria and funding methodology of growth funding, which had been approved at the meeting of the Schools Forum on 14th November, 2023.

Resolved

That the latest financial information regarding funding allocated from the pupil growth fund contingency for the 2023/24 financial year and the growth fund allocation received in the National Funding Formula for the 2024/25 financial year, be noted.

35 **Dedicated Schools Grant (DSG) Management Plan 2024**

A report of the Director of Children's Services was submitted regarding an update on the latest DSG Management Plan.

The Finance Manager presented the report and, in doing so, outlined the background of the DSG Management Plan concerning the historic increase in deficit within the High Needs Block, which had resulted in the engagement of the Delivering Best Value (DBV) in SEND. Reports had been submitted to previous Schools Forum meetings, which included information regarding the commissioning of Newton Europe and engagement with The Chartered Institute of Public Finance and Accountancy (CIPFA) to analyse data to identify areas for potential savings.

Representatives were advised that there were three key areas that were identified that were putting increased pressure on the High Needs Block which included the increased demand for specialist education provision, new Education, Health and Care Plan's (EHCP's) and EHCP's for young people aged between 19 to 25 year old. In view of the key areas identified, workstreams had been established, which included redesigning the specialist services and the Ordinarily Available Provision (OAP) offer, developing and delivering the sufficiency strategy and preparation for adulthood.

The Finance Manager reported that the final DSG Deficit Management Plan, covering the whole of the DSG, would be submitted to the DfE on 19th January, 2024, however, the DfE's main focus would be on the High Needs Block and the measures put in place to mitigate the deficit.

In referring to Annex 1A, 1B and 1C of the report submitted the Finance Manager outlined the existing management plan, the proposals recognised by Newton Europe that could be achieved and the additional savings identified after consultation, however, it was noted that further detailed work would need to be undertaken to identify realistic and robust measurable savings. It was noted that the DSG Management Plan would be a live document, which would be regularly updated and shared with the Dudley Schools Forum.

It was reported that DBV in SEND mitigations that were identified would be included within the budgets for the next year, which impacted upon finances. It was noted that the financial mitigations included:

- supporting pupils within mainstream schools without the need for an EHCP;
- supporting pupils to remain within mainstream schools in preference to special schools;
- supporting pupils within mainstream schools as opposed to independent schools;
- redesigning services for mainstream schools, specialist schools or resource bases and SEND units within schools and
- to support pupils locally within a mainstream school setting

It was intended that these would provide cost savings, however, it was acknowledged that it was important for the mitigations to improve outcomes for pupils within the appropriate local provisions.

In referring to Annex 1C of the report submitted the Finance Manager provided further detail regarding the potential opportunities and additional savings that had been identified, in particular contributions received for Health and Adult Social Care and Children's Social Care and that reasonable targets had been put in place for additional health contributions.

It was noted that a block transfer from the Schools Block to the High Needs Block would need to be explored to demonstrate to the DfE that all options had been considered in order to request for support and funding from the Government to reduce the High Needs Block deficit. It was noted that it was proposed to put forward 1% on support on specific services, which would need to be approved by Schools Forum and the Secretary of State in 2025/2026. Consultations with colleagues and Headteachers would be carried out in order for a decision to be made in November, 2024.

Representatives were referred to points 3 and 5 of Annex 1C of the report submitted and it was clarified that work being carried out for Post 16 – preparing for adulthood, and alternative provisions were now part of the DBV in SEND programme. In reference to point 4 of Annex 1C it was noted that the cessation of EHCP's at transition were being developed, and over 100 EHCP's had been identified for review.

Mrs A Hannaway, Primary School Headteacher Representative, reflected on discussions held at the BWG by Headteachers, and thanked the Finance Manager for taking the discussions into consideration and reporting additional information to Schools Forum.

In reference to Annex 2A of the report submitted regarding discussions at the BWG concerning the average savings, Mrs A Hannaway advised it was understood that the costs would vary from approximately £2,000 per child up to £13,000 across all sectors.

Mrs A Hannaway further stated that it had been noted that there were 88 EHCP's that were due to be ceased between 2022 and the end of the current financial year. Information had been requested at the BWG on the amount of ECHP's that had ceased to date, however, it was acknowledged that further information was currently being awaited and considered it would be helpful if information could be available for the next meeting.

In response the Finance Manager advised that in regard to the average costs for EHCP's, the Finance Team were working towards establishing more sophisticated costings, outcomes and indicators. It was noted that the savings resulting from cessations on EHCP transitions were below the £13,000 average.

Mrs A Hannaway referred to Annex 1B regarding ordinarily available provision together with specialist inclusion services and commented that the work streams and savings were developed, however, schools had only been involved from the end of December, 2023.

In response the Finance Manager explained that the work streams would be a live document and that there would be opportunity to review and set more realistic targets and that any changes would be reported back to future School Forum meetings.

Mrs A Hannaway also referred to the redesign of specialist services and commented that there had previously been an allocation of £3.5m for redesign and restructure associated with the specialist inclusion services, however, noted that this had now been factored into the DBV in SEND programme and queried whether this had now been concluded.

Mrs R Cox, Academy Member representative referred to Annex 1B of the report submitted and remarked that teachers were trained to deal with pupils without the need for an EHCP, however, considered that it was important that the current support that children received in particular children with complex needs that was funded through EHCP's needed to be maintained. Recruitment was of great concern and it was noted that there were jobs that would pay more for less demand and that there was insufficient funding for staff coming in.

In response the Finance Manager advised that there would be support and acknowledged the importance of early interventions. It was recognised that there were children with complex needs that would require an EHCP and support throughout their school career, however, there were children who's needs could be met through early intervention. It was considered that although an EHCP may not be provided, support would still be available.

The Service Director Education, SEND and Family Solutions advised that there were challenges being faced due to budget restraints, therefore, there needed to be an understanding of what was ordinarily available, and what can be done to increase the capacity, skills, and confidence within the wider system to support children without the need for an EHCP as part of a broader graduated approach. It was noted that the change was to provide children the right support at the right level and to meet children's needs in the right way. It had been recognised that the current model was not delivering adequate outcomes for every child with EHCP's in a lot of cases, therefore, the DSG Management Plan would be creating new cultures and new ways of working.

Resolved

That the content of the draft Dedicated Schools Grant (DSG) Management Plan 2024 be noted.

36 Delivering Best Value (DBV) in SEND Update

A report of the Director of Children's Services was submitted updating Schools Forum on the Delivering Best Value in SEND programme in Dudley.

The Acting Head of SEND presented the report and, in doing so, advised that there were four primary focus areas around the DBV areas concerning the Ordinarily Available Provision (OAP) offer, developing and delivering the sufficiency strategy, preparation for adulthood and redesigning the spend profile.

In regard to Work Stream 1, redesigning specialist services and the OAP offer, it was reported that there had been collaboration with an organisation namely Genuine Partnerships to carry out the four cornerstones and co-production training. Eight training sessions had been received and further training would be available with a view to extend the training to all school settings.

It was advised that a task and finish group supported by four subgroups had been created, which would look at establishing reframing the OAP and joining sites from practices of other local authorities who had successfully developed the OAP framework to support the development process. There were discussions in progress to explore the possibility of the digitalisation of the framework for improved accessibility.

It was reported that a Schools Workshop had taken place at Himley Hall, which was attended by a significant number of people; that outcomes from the Workshop would be collated to capture the feedback that was provided and questionnaires had been shared with education settings to gather feedback to support with refining the specialist services.

The Acting Head of SEND reported that a stakeholder working group had been established undertaking work specific to the redesign of the specialist services and would be carrying out service assessments, gap analysis of specialist service delivery, and it was considered the work was critical in shaping the service delivery requirements. An evaluation of training requirements for mainstream schools was in progress to focus on building capacity within mainstream schools and the development of specialist advisory services.

Representatives were referred to Workstream 2 of the report submitted concerning developing and delivering the sufficiency strategy, and the Acting Head of SEND clarified that the commissioning of the delivery partner 1st Planner was still in progress and that Schools Forum would be updated when this was in place. It was explained that 1st Planner would be developing the SEND sufficiency strategy together with supporting Dudley in providing a comprehensive representation of capacity across special schools and the Alternative Provision Estate.

The Acting Head of SEND further clarified the four SEND Units processes and Bases had now been established at Dawley Brook Primary School and it was considered that once established and the necessary protocols were followed, it would be a great resource, although this would take some time.

Reference was made regarding the establishment of the commissioning of Inclusion Hubs in early years settings and the Acting Head of SEND clarified that there were delays encountered for completion relating to contract finalisation and staffing challenges, although they would be resolved shortly.

Representatives were referred to Workstream 3 of the report submitted concerning preparation for adulthood, and the Acting Head of SEND clarified that the workstream was now a part of the formal agreement with the DfE. The programme for planned workstream activities for January to March, 2024 was outlined within Table 1 of the report submitted and it was noted that this would be shared with relevant working groups in due course.

In regard to Workstream 4 concerning redesigning the spend profile, it was reported that the workstream had not been included within the formal agreement with the DfE, however, it was considered to be a vital action that formed the foundation for other DBV work being carried out.

Resolved

That the content of the Delivering Best Value in SEND Update be noted.

37 Directorate of Children's Services – Verbal Update

The Director of Children's Services referred to the Council's challenging financial position and advised that a number of options were being considered to develop and deliver savings to contribute towards putting money back into the Council's reserves. A report concerning the budget setting had been submitted to the Council's Cabinet meeting on 11th January, 2024, which had subsequently been approved.

It was noted that specific mention had been raised concerning Pens Meadow School at the meeting of the Cabinet regarding the rebuilding of Pens Meadow School onto one site. Extensive discussions were carried out at the meeting, and it was reported that the Cabinet had agreed to proceed with work in view of the legal contract that had already been received and the work that had been carried out for a number of months.

Resolved

That the verbal update on the Directorate of Children's Services, be noted.

The meeting ended at 7.30pm

CHAIR