

## **Meeting of the Dudley Schools Forum**

**Tuesday 14<sup>th</sup> November, 2023 at 6.00pm  
on Microsoft Teams**

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### **Agenda - Public Session (Meeting open to the public and press)**

- 1a. To elect a Chair of the Forum for the 2023/24 academic year.
- 1b. To appoint a Vice-Chair of the Forum for the 2023/24 academic year.
1. Introductions by the Chair
2. Apologies for absence.
3. To report the appointment of any substitutes for this meeting of the Forum.
4. [To approve as a correct record the minutes of the meeting of the Forum held on 3<sup>rd</sup> October, 2023 \(Pages 5 - 12\).](#)
5. Any other matters arising from the Minutes of the meetings of the Forum held on 3<sup>rd</sup> October, 2023, not included on the agenda for this meeting.
6. Head Teachers Consultative Forum – Budget Working Group Verbal Feedback
7. [Schools Forum Membership \(Pages 13 – 17\)](#)
8. [Dedicated Schools Grant Projected Outturn Update 2023/24 \(Pages 18 – 25\)](#)



9. [Growth Fund Methodology 2024/25 \(Pages 26 – 30\)](#)
10. [De-delegated Service Options for 2024/25 \(Pages 31 – 36\)](#)
11. [Dudley’s Scheme for Financing Schools 2023/24 \(Pages 37 – 42\)](#)
12. [Delivering Better Value in SEND Update \(Pages 43 – 52\)](#)
13. [Directorate of Children’s Services Verbal Update](#)



**Chief Executive**

**Dated: 6<sup>th</sup> November, 2023**

**Distribution:**

**Members of Dudley Schools Forum**

**Nursery School Headteacher:** Miss A Ward;

**Primary School Headteachers:** Mrs M Harris, Mrs A Hannaway, Ms L Maskell, Mrs S Parkes;

**Primary School Governors:** Mrs J Belcher (Chair), Mrs J Morgan (Vice-Chair) Mr B Roe and Vacancy;

**Secondary School Headteacher:** Mr T Harris;

**Secondary School Governor:** Mrs S Watson;

**Special School Headteacher:** Miss J Colbourne;

**Special School Governor:** Mr P Leyshon;

**Academy Members:** Mrs R Cox, Mr C Finnerty, Mrs J Higgins, Mr M Kelay, Mr S Lanckham, Ms E Stanton, Miss F Sumner, Mr K Tranter, Mrs A Webb and Vacancy;

**Pupil Referral Unit Representative:** Mrs V Howard;

**Non-School Members:** Mrs E O’Brien, Mrs J Williams, Mr T Reid and Vacancy;

## **Non-Voting Attendees**

Councillor R Buttery - Cabinet Member for Children and Young People;  
Councillor K Lewis - Chair of Children and Young People Select Committee;  
C Driscoll – Director of Children’s Services;  
S Thirlway, Service Director of Education, SEND and Family Solutions  
M Palfreyman – Head of Education Outcomes and Inclusion;  
C Ludwig – Finance Manager;  
J Wilson – Senior Principal Accountant.

## **Please note the following:**

- This meeting will be held virtually by using Microsoft Teams. The meeting will be held live via the Internet link. The meeting will be recorded for future viewing.
- This is a formal meeting and it will assist the conduct of business if participants speak only when invited by the Chair.
- Members of the public are welcome to view the proceedings but should not make contributions at this meeting.
- The Chair reserves the right to adjourn the meeting, as necessary, if there is any disruption or technical issues.
- All participants should mute their microphones and video feed when they are not speaking.
- Please remember to unmute your microphone and switch on your video feed when it is your turn to speak. Speak clearly and slowly into your microphone.
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### **Schools Forum Members**

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- Members can submit apologies by contacting Democratic Services. The appointment of any Substitute Member(s) should be notified to Democratic Services at least one hour before the meeting starts.
- The Democratic Services contact officer for this meeting is Gemma Gray, Telephone 01384 815334 or E-mail [gemma.gray@dudley.gov.uk](mailto:gemma.gray@dudley.gov.uk)
- You can view the [Democratic Services Privacy Notice](#) and more information about the Council and our meetings on the website [www.dudley.gov.uk](http://www.dudley.gov.uk)

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**Minutes of Dudley Schools Forum  
Tuesday, 3<sup>rd</sup> October, 2023 at 6.00pm  
On Microsoft Teams**

**Present:**

Mrs J Belcher, Mrs J Morgan, Mrs R Cox, Mrs V Howard, Mr M Kelay, Mr S Lanckham, Mr P Leyshon, Ms L Maskell, Mrs E O'Brien, Mr T Reid, Mr B Roe, Ms E Stanton, Miss F Sumner, Mr K Tranter, Miss A Ward, Mrs S Watson and Mrs A Webb

**Non-Voting Officers:**

C Driscoll (Director of Children's Services), S Thirlway (Service Director Education, SEND and Family Solutions), C Ludwig (Finance Manager), J Wilson (Principal Accountant), R Marsh, (People and Inclusion - Business Partner) and G Gray (Democratic Services Officer)

**Also in Attendance:**

Councillor K Lewis (Chair for Children's Services Select Committee)

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1 **Election of Chair for the 2023/24 Academic Year**

**Resolved**

That Mrs J Belcher be elected as Chair of Dudley Schools Forum for the 2023/24 Academic Year.

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2 **Appointment of Vice-Chair for the 2023/24 Academic Year**

**Resolved**

That Mrs J Morgan be elected as Vice-Chair of Dudley Schools Forum for the 2023/24 Academic Year.

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3 **Introductions by the Chair**

The Chair welcomed everyone to the meeting.

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4 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Mr C Finnerty, Mr T Harris, Mrs S Parkes and M Palfreyman (Head of Education Outcomes and Inclusion).

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5 **Substitute Members**

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

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6 **Minutes**

**Resolved**

That the minutes of the meeting held on 20<sup>th</sup> June, 2023, be approved as a correct record.

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

Mr S Lanckham, Academy Member Representative, provided feedback on the discussions held at the previous Head Teachers Consultative Forum – Budget Working Group (HTCF-BWG) meeting advising that the new term had started and that Local Authority Headteacher Meetings had taken place two weeks ago, which had a significant attendance with most schools and trusts being represented.

It was noted that there had been an improvement of school attendance and the number of suspensions and exclusions had been decreased, which had been the main cause of concern across the Local Authority and Schools.

The Budget Working Group were advised that Children's Services were undergoing a redesign based on the Family Safeguarding model, that Phase 1 had been completed in July 2023 and that Dudley would be the 19<sup>th</sup> Local Authority to implement this. It was advised that R Wright (Childrens Social Care Service Manager) had attended Head Teacher meetings to advise of the new ways of working, which was greatly received by Head Teachers and provided a clear line of communication into the team.

It was reported that Phase 2 of the redesign was currently open to consultation and would close on 11<sup>th</sup> October, 2023. Changes were planned for Education, Special Educational Needs and Disabilities (SEND) and Family Solutions and as part of this, Connexions and Education Psychology would move into the Education Team.

It was advised that the new Child Friendly Dudley Local Authority strategy had been launched and was being led by H Walton (Child Friendly Dudley Programme Lead). The Child Friendly Dudley Local Authority strategy was a Borough wide initiative to ensure the life chances of children were at the forefront of Dudley's Local Authority priorities and future planning.

Mr S Lanckham reported that there had been changes to Safeguarding and Keeping Children Safe in Education, that this information had been shared with schools and that updated training packages would be available as part of the safeguarding support to schools.

It was reported that further work was being undertaken to increase the number of SEND bases on mainstream school sites and that a further round of commissioning would be taking place during this academic year.

It was noted that the Deputy Head Teacher Conference would be taking place on 3<sup>rd</sup> October, 2023 at Himley Hall, and that over 60 schools would be represented. The Primary and Special Headteachers Conference was planned for 16<sup>th</sup> and 17<sup>th</sup> November, 2023.

It was advised that schools with Dudley Catering Services would be moved to new providers due to the Dudley Catering Services being ceased on 31<sup>st</sup> March, 2024.

In regard to the Education Strategy, the Budget Working Group were advised of the six key themes of the new simplified strategy.

An update had been provided at the Budget Working Group regarding the Virtual School and it was reported that A Wright had retired, and that E Thomas would now take over as Head Teacher of the Virtual School.

It was noted that M Wilson (Community Safety Officer) would be offering free training to schools, pupils, and parents on prevent radicalisation and other social community issues.

It was reported that there had been a rise in prevalence of Covid 19 within schools and that new guidance had been issued from the Health Protection Team, which had been shared with all schools.

The Dudley Community Toothbrushing Scheme, which provided free toothbrushes for all of Key Stage 1 children to tackle issues of poor oral health following Covid had been carried out.

It was noted that the Health Related Behaviour Questionnaire (HRBQ) to support and understand the lives children and young people lead, had been undertaken.

The Budget Working group were advised of the Health and Wellbeing Market place event, which was taking place on 10<sup>th</sup> October, 2023 at Saltwells together with several stakeholders who would be present to discuss a variety of health and support networks. It was also advised that the Poverty Proofing the School Day Pilot would be undertaken, which would be working together with children in the North East and 8 primary schools to run a pilot project to understand poverty for children and families.

## **Resolved**

That the feedback provided be noted.

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## **8 Schools Forum Membership**

A report of the Director of Children's Services was submitted on an update in respect of Schools Forum membership.



The Democratic Services Officer presented the report submitted, and in doing so, reported that Governor Support had commenced an election process for one primary school Head Teacher, together with information circulated to fill the remaining vacancies as outlined in Appendix A. The outcomes of the elections would be presented to the Forum in November, 2023.

## **Resolved**

That the updated position in respect of the membership of Dudley's Schools Forum, as referred to in Appendix A of the report submitted, be noted.

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## **9 Growth Fund Methodology 2024/25**

A report of the Director of Children's Services was submitted seeking approval from Schools Forum to continue to apply the existing eligibility criteria and funding methodology to funding allocated through a growth fund contingency for 2024/25.

The Finance Manager presented the report submitted, and in doing so, advised that a further report would be submitted to the meeting of the Schools Forum in January, 2024, outlining the actual allocation for 2023/24 and the amount of growth fund allocated for 2024/25.

The Finance Manager referred to the criteria for additional funding intended for mainstream schools who increased their published admission numbers (PAN) at the request of the Local Authority as set out in Appendix A of the report submitted.

It was advised that the intended funding would support schools with additional pupils to meet the funding lag between pupils starting in September of an academic year and that further funding would be received through the formula in April for maintained schools or the following September for Academy schools.

It was reported that funding would be received from the Education and Skills Funding Agency (ESFA) through the formula for growth funding and it was deemed that the allocation would be sufficient to fund the additional needs. It was advised that unused funding for 2024/25 would be added to the Schools Specific Contingency balance.

It was noted that the methodology proposed reflected the reconciliation of pupils leaving in year 6 or year 11, the intake of pupils in Reception or year 7, the additional pupils that were coming into school who were not funded through the formula immediately and that additional funding would only be granted to schools where the number of additional pupils were greater than 10.

It was advised that the funding would be restricted to a maximum amount per pupil equivalent to 7/12ths of the minimum per pupil funding, which was specified within the methodology as set out in Appendix A of the report submitted.

Resolved

- (1) That the information contained in the report submitted be noted.
- (2) That the eligibility criteria and funding methodology to be applied to funds allocated from the growth fund contingency in 2024/25, be approved.

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## 10 **Trade Union Facility Time – Pooled Funding Arrangement**

A report of the Director of Children’s Services was submitted regarding an update on the Trade Union Facility Time Pooled Funding Arrangement in schools, to highlight the current funding and spend and seeking approval from Schools Forum for the carry forward of any surplus funding.

The People and Inclusion – Business Manager presented the report submitted and in doing so advised that a new charging model relating to the provision of Trade Union Facility Time through Dudley’s Pooled Funding Arrangement was approved at a meeting of the Schools Forum in January, 2020 to reduce costs in line with statistical neighbours.

It was advised that the forecast of the financial position at the end of the financial year would be in a deficit of up to £16,000, however, due to current vacancies of the National Education Union (NEU), the Association of School and College Leaders (ASCL) and the National Association of Head Teachers (NAHT), there would be a saving of £1,900 to cover the shortfall for the current financial year. The unions were seeking to appoint replacement representatives, which would then present a forecasted deficit. Therefore, it was requested that any surplus funding be rolled forward to address the majority of the forecasted 2023/24 deficit.

Reference was made to Appendix 1 of the report submitted, which outlined the joint Trade Union Business Plan and the activities undertaken to support members over the past 12 months.

Members were referred to comparisons made with statistical neighbours, and it was advised that, of the 7 statistical neighbours that reported on the percentage of cost spent on facility time, Dudley was joint third highest in cost at 0.10%, however, it was noted that this percentage sat below the midpoint of the range.

## **Resolved**

- (1) That the information contained in the report submitted be noted.
- (2) That the Schools Forum to continue to observe the 'in principle' agreement reached in 2020 to de-delegation and buy back, be approved.
- (3) That the comparison, when viewed against statistical neighbours, of the percentage of pay spent on Dudley's trade union facility time, as set out in paragraph 24 of the report submitted, be noted.
- (4) That the request to roll-forward any surplus from the current financial year, to the financial year 2023/24, in order to mitigate the forecasted deficit, be approved.
- (5) That the content of the Joint Union (NAHT/ASCL/NEU) letter as set out in Appendix 4 of the report submitted, requesting that the Council maintains its pooled funding arrangement, that provides access for academies, be noted.

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## 11 **Directorate of Children's Services – Verbal Update**

The Director of Children's Services provided an update and advised of the financial pressure and concerns facing all Local Authorities. Reference was made to the Section 114 notices issued to Birmingham City Council and concerns that had been raised. The Director of Children's Services reassured representatives that Dudley were not within that position of issuing a notice. However, it was noted that Dudley were a low reserve authority with low spending and that Dudley were experiencing significant demand pressures within Children's Services and the Council as a whole.

It was advised that there were significant concerns within the High Needs Block deficit and that the demand had increased considerably as a result of not being able to manage with current resources available.

Members were advised that finance was being received from the Department of Education (DfE) statutory override on the High Needs Block, which did not count against the Council's budget position, however, the statutory override was due to end in March 2026 and that there would be significant challenges should the override not continue after March, 2026.

The Director of Children's Services commented that significant work would need to be carried out in the forthcoming years in relation to meeting the needs of children with Special Educational Needs and Disabilities (SEND).

It was reported that partners across the system were meeting on Thursday, 5<sup>th</sup> October, 2023 to carry out work on self-evaluation and starting work to prepare the new SEND strategy which was due in 2024.

It was noted that work would continue regarding delivering best value in the SEND programme and a lot of work would be underway within the next six months.

### **Resolved**

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

The meeting ended at 6.30pm

CHAIR

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**Meeting of the Dudley Schools Forum – 14<sup>th</sup> November, 2023**

**Report of the Director of Children’s Services**

**Schools Forum Membership**

**Purpose**

1. To provide Schools Forum with an update in respect of Schools Forum membership changes effective from 1<sup>st</sup> November, 2023.

**Schools Forum Role and Responsibilities**

2. Schools Forum is responsible for ensuring that the constitution and membership meet the legislative requirements detailed in the School Forum (England) Regulations 2012, which were effective from 1<sup>st</sup> October 2012, as amended by Regulation 3 of the School and Early Years Finance (England) Regulations 2015.

**Recommendation**

3. That the updated position in respect of the membership of Dudley’s Schools Forum changes effective from 1<sup>st</sup> November, 2023 be noted.

**Background**

4. Dudley’s current Schools Forum Constitution allows for 28 members; comprising of 14 School members, 10 Academy School members and 4 Non-schools members.
5. Governor Support team commenced an election process in September, 2023 seeking nominations for one Primary School Headteacher, the outcomes of which are detailed below:

## 6. School Member – Primary School Head Teacher

- Mrs Angela Hannaway (Gigmill Primary School) will continue in her post as Primary School Head Teacher representative for a three year term of office to 31<sup>st</sup> October, 2026.

Following the resignation of Mr C Finnerty, Primary School Head Teacher of Cradley CofE Primary School, Mrs Marcia Harris (Headteacher at Cradley CofE Primary School) to continue in the existing term of office to 31<sup>st</sup> October, 2024 as Primary School Head Teacher Representative.

## **Budget Working Group**

7. This report will be considered by the Budget Working Group on 7<sup>th</sup> November, 2023.

## **Finance**

8. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2018.

## **Law**

9. The Schools Forum is a statutory decision making and consultative body constituted in line with the School Standards and Framework Act 1998, and its associated regulations, including the Schools Forums (England) Regulations 2012, to enable members of the local school community to work in partnership with Dudley Metropolitan Borough Council when making decisions about school funding and finances.
10. Schools Forums are regulated by the Schools Forums (England) Regulations 2012 as amended.

## **Risk Management**

11. There are no implications to the Council's Risk Management Framework that result from the proposals contained within this report.

## **Equality Impact**

12. The Council's Equal Opportunities Policy is taken into account when considering the allocation of resources.

## **Human Resources/Organisational Development**

13. This report has no direct implications for organisational development, human resources or service transformation.

## **Commercial/Procurement**

14. There is no impact on the potential to commercially trade and no impact on our customer base.

## **Environment/Climate Change**

15. This report has no direct implications on the environment or the Council's work in addressing Climate Change and achieving Net Zero target by 2041.

## **Council Priorities and Projects**

16. The Dudley Council Plan 2019-2022 is clear in its ambitions for educational outcomes including raising skills, educational and work potential, increasing good or better schools and closing the gap for disadvantaged pupils. The role of Dudley Schools Forum is to advise the Council on matters affecting schools funding, principally the allocation of the Dedicated Schools Grant (DSG), and the local Fair Funding Formula which distributes budgets to schools, early years providers and other maintained education settings.



**Catherine Driscoll**  
**Director of Children's Services**

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## **Appendix**

Appendix 1 – School Forum Membership from 1<sup>st</sup> November, 2023

## **List of Background Documents**

[Schools Forum Constitution – 1<sup>st</sup> January, 2018](#)  
[The Schools Forums \(England\) Regulations 2012](#)

		Headteachers 3 year term of office					
<b><u>DUDLEY SCHOOLS FORUM CONSTITUTION</u></b>		<b>1 May 2021 to 30 April 2024</b>	<b>1 May 2022 to 30 April 2025</b>	<b>1 May 2023 to 30 April 2026</b>	<b>1 November 2021 to 31 October 2024</b>	<b>1 November 2022 to 31 October 2025</b>	<b>1 November 2023 to 31 October 2026</b>
<b>SCHOOL MEMBERS</b>							
<b><u>Nursery School Headteachers</u></b>	<b><u>One nursery headteacher</u></b>						
<b><u>Netherton Park Nursery</u></b>	Miss A Ward, Netherton Park Nursery School, Netherton, Dudley DY2 9QF					√	
<b><u>Primary School Headteachers</u></b>	<b><u>Four primary school headteachers from any of the five townships</u></b>						
Brierley Hill	Ms Lisa Maskell, Dawley Brook Primary School, Dubarry Avenue, Valley Fields, Kingswinford, West Midlands, DY6 9BP					√	
Halesowen	Mrs Marcia Harris, Cradley CofE Primary School, Church Road, Cradley, Halesowen, West Midlands, B63 2UL				√		
North Dudley	Mrs S Parkes, Wren's Nest Primary School, Marigold Crescent, Dudley, DY1 3NX					√	
Stourbridge	Mrs A Hannaway , Headteacher, Gigmill Primary, The Broadway, Norton, DY8 3HL.						√
<b><u>Primary School Governors</u></b>	<b><u>Four primary school governors from any of the five townships</u></b>						
Brierley Hill	Mr B Roe, Crestwood Park Primary School, Lapwood Avenue, Crestwood Park Estate, Kingswinford, DY6 8RP.		√				
Dudley	<b>Vacancy</b>	√					
Stourbridge	Mrs J Belcher, Peters Hill Primary School, Peters Hill Road, Amblecote, Brierley Hill, West Midlands, DY5 2QH			√			
Brierley Hill	Mrs J Morgan, Dawley Brook Primary School, Dubarry Avenue, Valley Fields, Kingswinford, West Midlands, DY6 9BP	√					
<b><u>Secondary School Headteachers</u></b>	<b><u>One secondary school headteacher from any of the five townships</u></b>						
Brierley Hill	Mr T Harris, Headteacher, Summerhill School, Lodge Lane, Kingswinford, West Midlands, DY6 9XE					√	
<b><u>Secondary School Governors</u></b>	<b><u>One secondary school governor from any of the five townships</u></b>						
Brierley Hill	Mrs S Watson, Summerhill School, Lodge Lane, Kingswinford, West Midlands, DY6 9XE			√			
<b><u>Special School Headteacher</u></b>	<b><u>One special school headteacher for all townships</u></b>						
All townships	Miss J Colbourne, Headteacher, Old Park School, Thorns Road, Brierley Hill, DY5 2JY				√		
<b><u>Special School Governor</u></b>	<b><u>One special school governor for all townships</u></b>						
All townships	Mr P Leyshon - Pensmeadow & Rosewood School	√					
<b>ACADEMY MEMBER</b>							



	<b><u>DUDLEY SCHOOLS FORUM CONSTITUTION</u></b>	<b>1 May 2021 to 30 April 2024</b>	<b>1 May 2022 to 30 April 2025</b>	<b>1 May 2023 to 30 April 2026</b>	<b>1 November 2021 to 31 October 2024</b>	<b>1 November 2022 to 31 October 2025</b>	<b>1 November 2023 to 31 October 2026</b>
1 Representative	Mr C Finnerty (DRB Ignite Multi-Academy Trust)			√			
1 Representative	Ms J Higgins, Chief Executive (Dudley Academy Trust)			√			
1 Representative	Mr K Tranter, Chief Operating Officer (Dudley Academy Trust)			√			
1 Representative	Miss F Sumner, Senior Operations Manager (St John Bosco Catholic MAC)		√				
1 Representative	Mrs R Cox, Chief Executive Officer (Hales Valley Academy Trust)			√			
1 Representative	Ms E Stanton, Director of Invictus Institute (Invictus Education Trust)			√			
1 Representative	Mr M Kelay, Headteacher, Thorns Collegiate Academy (Shirelands Collegiate Trust)	√					
1 Representative	<b>Vacancy</b>	√					
1 Representative	Mr S Lanckham, Head Teacher, Windsor High School and Sixth Form (Windsor Academy Trust)	√					
1 Representative	Mrs A Webb (Windsor Academy Trust)			√			
<b><u>Pupil Referral Units</u></b>							
<b>All PRUs</b>	Mrs V Howard, Headteacher, Cherry Tree Learning Centre (PRU)				√		
<b><u>NON SCHOOL MEMBERS</u></b>							
<b>Representatives from Bodies Approved By Schools Forum</b>							
Unions and Professional Associations, nominated by the staff side of the Directorate Joint Consultative Committee	<b>Vacancy</b>		√				
Worcester Diocesan Board of Education, nominated by the Board	Mr T Reid, Diocesan Deputy Director of Education	√					
Early Years Provider Reference Group, nominated by the Group	Mrs E O'Brien, Childminder.	√					
Dudley 16-19 FE Providers	Mrs J Williams, Interim Principal and CEO, Halesowen College			√			

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## **Schools Forum 14 November 2023**

### **Report of the Director of Children's Services**

### **Dedicated Schools Grant Projected Outturn Update 2023/24**

#### **Purpose**

1. To provide Schools Forum with the latest financial forecast in respect of the Schools Budget for the 2023/24 financial year ending 31 March 2024.

#### **Schools Forum Role and Responsibilities**

2. From 1 April 2006, the Schools Budget has been funded by a direct Department for Education (DfE) grant: The Dedicated School Grant (DSG).
3. Schools Forum is the 'guardian' of the local Schools Budget, and its distribution among schools and other bodies, and therefore must be closely involved throughout the development process.

#### **Recommendation**

4. Schools Forum to note the 2023/24 forecast outturn position at 30 September 2023 in respect of the centrally retained areas of the Schools Budget, which is funded by the Dedicated School Grant.

#### **Background**

5. The Dedicated Schools Grant (DSG) is a DfE ring fenced grant which funds the Schools Budget. Where the Schools Budget is defined as a combination of centrally retained budgets together with the ISB (Individual Schools Budget).
6. The DSG can only be applied to meet expenditure properly included in the Schools Budget, as defined by the School and Early Years Finance (England) Regulations 2023.

7. At final outturn stage, the local authority is required to append an additional note to the Statement of Accounts confirming the deployment of the DSG in support of the Schools Budget, as required by the Accounts and Audit (Amendment) (England) Regulations 2015. The Chief Finance Officer is also required to confirm final deployment of the DSG in support of the Schools Budget in connection with the Section 251 Outturn Statement.
8. This report is a mid-year update position at 30 September 2023 in respect of the central budget areas of the DSG for the 2023/24 financial year.
9. For the purposes of declaring the outturn, the amount of the Individual Schools Budget (ISB) actually distributed to schools is regarded, for DSG purposes, as spent by the authority once it is deployed to schools' budget shares. Thus whilst the Individual Schools Budgets (ISB) element of the DSG can be underspent, this is recorded as a school's roll-forward.

### **Dedicated Schools Grant 2023/24**

10. For the 2023/24 financial year the DSG is currently £319.503m, including the business rates allocation of £2.412m for maintained schools and academies for presentational purposes only. Business rates are now centralised, therefore funding is no longer received via the Dedicated Schools Grant.
11. Whilst Dudley is responsible for calculating the budget share for each Academy School which totalled £144.710m at 30 September 2023 based on the latest allocation (July 2023), each of the 49 Dudley Academy Schools receive their annual budget as a direct grant from the Education and Skills Funding Agency. Thus, the LA is not responsible for the monitoring of the Academy School funding or the year end outturn and roll-forward position.
12. The remaining £172.381m relates to Dudley maintained schools and centrally provided services as follows:
  - a. £51.279m relates to central budgets, however, at budget setting this assumed that the High Needs Block would end the year with a deficit position of £4.646m
  - b. £0.247m de-delegations from maintained mainstream schools.
  - c. £125.501m Dudley school and nursery education delegated budgets.

13. Centrally retained budgets reflect a deduction of place funding for 76 places, £0.760m for Cherry Tree Home and Hospital Pupil Referral Unit following the academy order that took place from December 2019.
14. A further £1.064m is payable in grant by the Education and Skills Funding Agency which is passed directly to Dudley's mainstream 6<sup>th</sup> form maintained schools. From September 2019 the special school post 16 grant was included within the main DSG grant.
15. Appendix B reports that there is a forecast over spend in respect of the centrally retained DSG budget for 2023/24 of £7.345m, this excludes the School Specific Contingency reserve as at 30 September 2023.
16. Appendix B analyses this overspend by funding block, which is also summarised as follows:
  - a. High Needs Block £7.303m:  
Mainly in relation to Education and Health Care Plan top up payments, outborough placements, imports/exports adjustment and the proposed pay award.
  - b. Central School Services Block £0.327m:  
Pressures in relation to fines (Education Investigation Service), the proposed pay award across the service and payments in relation to outborough non-SEN independent schools.
  - c. Early Years Block (£0.285m):  
Lower pupil numbers, noting the impact of lagged funding, partly offset by pay award pressures.
  - d. Reserve Transfers £23.317m:  
Represents the brought forward deficit position from 2022/23.
17. If an authority's actual spend on central expenditure is more or less than its central expenditure budget, the over/under-spend must be carried forward to the Schools Budget in future years. Where the under spend includes funding in respect of de-delegated items then the surplus funds (or overspending) at the end of the financial year can be carried forward into the next financial year when the schools' budgets will be adjusted accordingly.
18. The overall forecast overspending position of £30.662m at 30 September 2023 is set against a centrally retained budget of £51.279m.

It is assumed that the forecast over spend will be carried forward into 2024/25 financial year against the DSG reserve, to be resolved as part of the strategic recovery of the High Needs Block in future years. The Local Authority are part of the Delivering Better Value in SEND Programme, have worked collaboratively with Newton Europe and CIPFA and are now reviewing and updating the financial recovery plan which will be shared with Forum as part of the regular reporting cycle.

### **Budget Working Group Discussed**

19. Yes – 7 November 2023

### **Finance**

20. From 1 April 2006, the Schools Budget has been funded by a direct grant: Dedicated School Grant (DSG).

### **Law**

21. The Schools Forum is a statutory decision making and consultative body constituted in line with the School Standards and Framework Act 1998, and its associated regulations, including the Schools Forum (England) (Coronavirus) (Amendment) Regulations 2020, to enable members of the local school community to work in partnership with Dudley Metropolitan Borough Council when making decisions about school funding and finances.

22. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2023.

### **Risk Management**

23. There are no material risks to the Council's Risk Management Framework resulting from the contents of this report.

## **Equality Impact**

24. This report has no direct implications for the Council's commitment to equality and diversity.

## **Human Resources / Organisational Development**

25. This report has no direct implications for human resources, organisational development or service transformation.

## **Commercial / Procurement**

26. There is no impact on the potential to commercially trade and no impact on our customer base.

## **Environment / Climate Change**

27. This report has no direct implications on the environment or the Council's work in addressing Climate and achieving Net Zero target by 2041.

## **Council Priorities and Projects**

28. The 2022/2025 Council Plan is clear in its ambitions for educational outcomes including raising skills, educational and work potential, increasing good or better schools and closing the gap for disadvantaged pupils. This report relates to the use of the Dedicated Schools Grant funding to support the educational outcomes of children and young people in the borough.



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## **List of Background Papers**

Appendix A: Dedicated Schools Grant Forecast Outturn Statement 2023/24 at 30 September 2023.

Appendix B: Analysis of Dedicated Schools Grant Forecast Outturn by Funding Block 2023/24 at 30 September 2023.

## Dedicated Schools Grant Forecast Outturn Statement 2023/24 at 30 September 2023

## Appendix A

Dedicated Schools Grant	2023/24 Latest Budget £m	2023/24 Forecast Outturn £m	2023/24 Variance (+ over/ - under spend) £m	Comments
Individual Schools Budget (ISB)	125.501	125.501	0*	*Schools can roll-forward any under spend (Nursery incl EYrs providers, Primary, Secondary & Special) Dudley 6 <sup>th</sup> form school (Oldswinford Hospital School).
Post 16 pupils - 6 <sup>th</sup> Form Funding	1.064	1.064	0	
De-Delegated Budgets	0.247	0.247	0	
Centrally Retained Budgets	51.279	53.978	2.699	Significant pressures as a result of increased demand of Education Health and Care Plans.
Education & Skills Funding Agency (ESFA) - 6 <sup>th</sup> Form Grant	(1.064)	(1.064)	0	Oldswinford Hospital School
Use of DSG Reserve	(4.646)	23.317	27.963	Original budget assumed deficit position of £4.646m on High Needs Block for 2023/24 and B/Fwd deficit of £26.676m from 2022/23.
<b>Total DSG payable to Dudley 2023/24</b>	<b>172.381</b>	<b>203.043</b>	<b>30.662</b>	
Academy Schools Funding paid to School via ESFA	144.710	144.710	0	Allocated to Academy Schools directly via the Education & Skills Funding Agency 49 schools at 30 September 2023 and based on latest DSG allocation.
Business Rates Allocation	2.412	2.412	0	
<b>Total DSG 2023/24</b>	<b>319.503</b>	<b>350.165</b>	<b>30.662</b>	<b>Deficit Position forecast on Central DSG reserve at year end</b>



**Analysis of Dedicated Schools Grant Forecast Outturn by Funding Block 2023/24 at 30 September 2023**

**Appendix B**

	Latest Budget 2023/24	2023/24 Position Sept Variance (+ over / - under)	2022/23 B/Fwd Deficit Position	Sep 23 Cumulative Forecast 2023/24 (+ over / - under)	Total % Variance
	£m	£m	£m	£m	
Schools Block	246.386	-	-	-	-
High Needs Block	51.386	7.303	26.676	33.979	66.1%
Early Years Block	19.888	-0.285	-2.989	-3.274	-16.5%
Central School Services Block	1.843	0.327	-0.370	-0.043	-2.3%
<b>Dedicated Schools Grant</b>	<b>319.503</b>	<b>7.345</b>	<b>23.317</b>	<b>30.662</b>	<b>9.6%</b>

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## **Schools Forum 14 November 2023**

### **Report of the Director of Children's Services**

#### **Growth Fund Methodology 2024/25**

##### **Purpose**

1. To seek approval from Schools Forum to continue to apply the existing eligibility criteria and funding methodology to funding allocated through a growth fund contingency for 2024/25.

##### **Schools Forum Role and Responsibilities**

2. The Forum is the 'guardian' of the local Schools Budget, and its distribution among schools and other bodies, and therefore must be closely involved throughout the development process.

##### **Recommendation**

3. It is recommended that Schools Forum agree the eligibility criteria and funding methodology to be applied to funds allocated from the growth fund contingency in 2024/25.

##### **Background**

4. Mainstream schools receive funding based on lagged pupil numbers (funding for the current financial year is based on pupils recorded on the previous October Schools Census). Therefore, where a school experiences a significant increase in pupils at the start of an academic year, no additional funding will be received for these additional pupils until the start of the following financial year for maintained schools and the start of the following academic year for academies (7 month and 12 month lag in funding).
5. From 2019/20 the ESFA introduced a formulaic approach to allocating growth funding to Local Authorities which is based on the actual growth experienced. Growth allocations for 2024/25 will be based on pupil data from the October 2023 census, and will

measure growth in pupil numbers from the previous year. Growth is measured within local authorities at middle layer super output areas. Only positive increases in pupil numbers are included, so a local authority with positive growth in one area, and negative growth in another, will not be denied growth funding.

6. ESFA guidelines state that local authorities should continue to make decisions about growth locally and spend may not match precisely the sum allocated. Local authorities will continue to have the ability to 'top slice' their overall schools block funding to fund pupil number growth.
7. The actual value of Growth Funding for 2024/25 will be confirmed by the DfE in December 2023.
8. Based on provisional pupil numbers, and using existing methodology, the 2023/24 growth allocation is sufficient to fund growth in pupil numbers for the period September 2023 to March 2024. Any unused growth fund for 2023/24 will be added to the Schools Specific Contingency balance.
9. It is therefore proposed that the growth funding received for 2024/25 be allocated in accordance with the eligibility criteria and funding methodology attached at Appendix A.

**HTCF - Budget Working Group Discussed –** Yes – 26 September 2023.

### **Finance**

10. From 1 April 2006, the Schools Budget has been funded by a direct grant; Dedicated School Grant (DSG).

### **Law**

11. The Schools Forum is a statutory decision making and consultative body constituted in line with the School Standards and Framework Act 1998, and its associated regulations, to enable members of the local school community to work in partnership with Dudley Metropolitan Borough Council when making decisions about school funding and finances.

12. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2023.

### **Risk Management**

13. There are no material risks to the Council's Risk Management Framework resulting from the contents of this report.

### **Equality Impact**

14. This report has no direct implications for the Council's commitment to equality and diversity.

### **Human Resources /Organisational Development**

15. This report has no direct implications for human resources, organisational development or service transformation.

### **Commercial/Procurement**

16. There is no impact on the potential to commercially trade and no impact on our customer base.

### **Environment / Climate Change**

17. This report has no direct implications on the environment or the Council's work in addressing Climate and achieving Net Zero target by 2041.

### **Council Priorities and Projects**

18. The 2022/2025 Council Plan is clear in its ambitions for educational outcomes including raising skills, educational and work potential, increasing good or better schools and closing the gap for disadvantaged pupils. This report relates to the use of the Dedicated Schools Grant funding to support the educational outcomes of children and young people in the borough.

*Catherine Driscoll*

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**List of Background Documents**

Appendix A – Growth Fund Methodology

**Table 1 – Proposal for Dudley Criteria and Methodology to be Applied**

<p><b><u>Criteria</u></b></p> <p>Additional funding will be made available to Dudley schools in any of the circumstances:</p> <ul style="list-style-type: none"> <li>• The local authority carries out a formal consultation and approves an increase in the capacity of a school in accordance with School Organisation legislation.</li> <li>• The local authority requests schools to increase their published admission numbers (PAN) as necessary and publishes on behalf of maintained schools an increased PAN in accordance with the Schools Admissions Code.</li> <li>• The local authority requests schools to admit significant additional pupils as a consequence of a school closure.</li> <li>• The local authority requests a school to admit pupils above its PAN to meet localised demand.</li> <li>• No allocation will be made to a school where the school admits over PAN at their own choice.</li> <li>• The local authority has agreed with a school to provide an extra class to meet the basic need in the area.</li> </ul> <p><b><u>Methodology</u></b></p> <ul style="list-style-type: none"> <li>• Additional funding will be made available in relation to additional pupils admitted to the relevant school in Reception and Year 7 as recorded on October School Census, until such time as the increase is reflected in all year groups.</li> <li>• Additional funding will be allocated only to those schools where the number of additional pupils admitted is greater than 10.</li> <li>• Funding will be based on a reconciliation between year 6/11 leavers and reception/year 7 intake.</li> <li>• October census data will be used to complete the reconciliation.</li> <li>• The allocation will be based upon the growth fund allocation from the DfE.</li> <li>• The allocations will be restricted to a maximum amount per pupil equivalent to 7/12ths of the Minimum per Pupil Funding (£4,610 and £5,995 for primary and secondary school pupils respectively for 2024/25).</li> </ul> <p>*This will reflect the period September to March for maintained schools and from September to August for academy schools.</p> <p>**To note that growth fund payments to Academies for the period April to August will be funded by the ESFA.</p>
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## Schools Forum 14 November 2023

### Report of the Director of Children's Services

#### De-delegated Service Options for 2024/25

##### Purpose of Report

1. To seek approval from Schools Forum for the proposed de-delegated services for 2024/25.

##### Schools Forum Role and Responsibilities

2. In accordance with the School and Early Years Finance (England) Regulations 2023, Schools Forum must authorise the deduction of budgets from Maintained Schools Budget shares in respect of certain central expenditure. (Under regulations 8(5) in respect of centrally retained expenditure and Regulation 11(5) in respect of de-delegation).
3. Where this central expenditure is to be 'de-delegated' to the local authority then the Schools Forums (England) Regulations 2012 state that:
  - **Regulation 8 paragraph 9A** - Only the schools' members of the Schools Forum who are representatives of primary schools (other than nursery schools) may vote to decide whether or not to authorise the matters referred to as de-delegation where they relate to primary schools (other than nursery schools);
  - **Regulation 8 paragraph 9B** - Only the schools' members of the Schools Forum who are representatives of maintained secondary schools may vote to decide on whether or not to authorise the matters referred to as de-delegation where they relate to secondary schools.

## **Recommendations**

4. Schools Forum is requested to:
  - Note the report in respect of the proposals for de-delegated services for 2024/25. Schools Forum decided on 21 January 2020 that an agreement to de-delegation and buy back for an extended period of up to 3 years, subject to an annual vote, be supported in principle. The period of this extended agreement in principle has now ended and in any case does not remove the requirement for annual approval.
  - Those members of Schools Forum eligible to vote as outlined in paragraph 10 of this report are requested to do so in order to determine a final decision in respect of de-delegated services for 2024/25.

## **Background**

5. De-delegation is a process whereby a school is entitled to funding via their delegated budget through the local funding formula, but collectively, maintained mainstream schools through a phase choose to return the funding to the Children's Services Directorate, where the management and co-ordination of that service will continue to be provided centrally on behalf of those schools.
6. The Schools Forum Regulations 2012 (amendment) determine that any budgets de-delegated must be approved by Schools Forum in the relevant phase (primary or secondary) to decide whether that service should be retained centrally.
7. De-delegation is not an option for academies, special schools, nurseries or Pupil Referral Units (PRU's). Where de-delegation has been agreed for maintained primary and secondary schools, there is a presumption that the local authority will offer the service on a buy-back basis to those schools and academies in their area which are not covered by de-delegation. In the case of special schools and PRUs, the funding to purchase such services will be included in any top-up payments.
8. Any decisions made to de-delegate in 2023/24 related to that year only, so new decisions will be required for any service to be de-delegated in 2024/25. Schools Forum members for primary maintained schools and secondary maintained schools must



decide separately for each phase whether the service should be provided centrally, and the decision will apply to all maintained mainstream schools in that phase. Funding for these services will then be removed from the formula funding before school budgets are issued. There may be different decisions for each sector.

9. Upon conversion to Academy School status a former maintained school's de-delegated budget is pro-rated in year and returned to the school for allocation at their discretion. However, the Regulations state if a school converts to an Academy School on or after 2 September, up to and including 31 March, the authority will retain any de-delegated funding for the remainder of the financial year and the academy will continue to access the de-delegated service. This is aimed to help central services to plan their workload.
10. Schools Forum members representing maintained mainstream schools that are eligible to vote are as follows:  
Primary school members – Mrs Harris, Mrs Hannaway, Ms Maskell, Ms Parkes, Mrs Belcher, Mrs Morgan, and Mr Roe.  
Secondary school members – Mr Harris and Mrs Watson.
11. For 2023/24 the De-delegated budgets are as per Table 1 below:

Table 1 – De-delegated Services for the 2023/24 Financial Year

De-delegation Services for Mainstream Maintained Schools	<b>Budgets for De-delegation 2023/24 Primary Sector £</b>	<b>Budgets for De-delegation 2023/24 Secondary Sector £</b>	<b>Budgets for De-delegation 2023/24 Total Funding £</b>
Union Facilities time	69,255	14,788	84,043
Behavioural Pupil Referral Unit – Primary Outreach Service	163,488	0	163,488
<b>Total Funding for 2023/24 De-delegations</b>	<b>232,743</b>	<b>14,788</b>	<b>247,531</b>

## **2024/25 Proposed Service De-delegations**

12. In line with DfE requirements and in readiness for 2024/25, a local authority is required to consult annually on the proposal to de-delegate services.
13. This was discussed at a Primary Head Teacher's Forum on 24 September 2019 and at HTCF-BWG on 19 November 2019, both supporting the delegation of both Union Facilities time, and Behavioural Pupil Referral Unit and recommended to townships that they buy into both of these services for the next two years at least.
14. This was subsequently discussed and approved at Schools Forum on the 21 January 2020 that an agreement to de-delegation and buy back for an extended period of up to 3 years, subject to an annual vote, be supported in principle. This extended agreement does not remove the requirement for annual approvals by Schools Forum.
15. It is proposed to continue the de-delegation for union facilities time in 2024/25. Schools Forum received a report at its meeting on 3 October 2023 which described the service provided and outlined the proposal to continue this de-delegation.
16. It is proposed that the de-delegation for the Behavioural Pupil Referral Unit – Primary Outreach Service continue for 2024/25. Work is in progress to move this service from a de-delegated to a traded service and one further year of de-delegation is requested in order to complete this work, in the context of the overall Directorate Redesign, the Delivering Better Value Programme work and the Alternative Provision (AP) Review. Discussions have previously taken place with Headteachers, who have agreed that this service is a vital one for schools, particularly in the context of the growing need for support as the diversity of children's needs in mainstream schools continues to increase. The line management of the team has recently transferred during 2023/34 to Education Outcomes and it is recognised that funding from de-delegation cannot continue indefinitely, but given the significant changes and pressures experienced during 2023/24, a further year's funding from de-delegation is requested.

## **Budget Working Group Discussed** - Yes - 7 November 2023.

### **Finance**

17. From 1 April 2006, the Schools Budget has been funded by a direct grant: Dedicated School Grant (DSG).

### **Law**

18. The Schools Forum is a statutory decision making and consultative body constituted in line with the School Standards and Framework Act 1998, and its associated regulations, including the Schools Forum (England) (Coronavirus) (Amendment) Regulations 2020, to enable members of the local school community to work in partnership with Dudley Metropolitan Borough Council when making decisions about school funding and finances.
19. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2023.

### **Risk Management**

20. There are no material risks to the Council's Risk Management Framework resulting from the contents of this report.

### **Equality Impact**

21. This report has no direct implications for the Council's commitment to equality and diversity.

### **Human Resources/Organisational Development**

22. This report has no direct implications for human resources, organisational development or service transformation.

### **Commercial/Procurement**

23. There is no impact on the potential to commercially trade and no impact on our customer base.

## **Environment/Climate Change**

24. This report has no direct implications on the environment or the Council's work in addressing Climate and achieving Net Zero target by 2041.

## **Council Priorities and Projects**

25. The 2022/2025 Council Plan is clear in its ambitions for educational outcomes including raising skills, educational and work potential, increasing good or better schools and closing the gap for disadvantaged pupils. This report relates to the use of the Dedicated Schools Grant funding to support the educational outcomes of children and young people in the borough.



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## **List of Background Documents**

None

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## **Schools Forum 14 November 2023**

### **Report of the Director of Children's Services**

### **Dudley's Scheme for Financing Schools 2023/24**

#### **Purpose of Report**

1. For Schools Forum to approve amendments to the Local Authority's Scheme for Financing Schools.

#### **Schools Forum Role and Responsibilities**

2. No revised Scheme is to come into force unless approved by the Schools Forum or the Secretary of State in accordance with Part 4 of the School and Early Years Finance (England) Regulations 2023.
3. Section 48 of the Schools Standards and Framework Act 1998 obliges Local Authorities to establish and maintain a Scheme for Financing Schools dealing with how a Local Authority will finance the schools that it maintains.
4. In line with the Regulations, revisions to a Local Authority's Scheme for Financing Schools can only be implemented once a Local Authority has consulted with their maintained schools and obtained the approval of either their Schools Forum or the Secretary of State for Education.
5. However, amendments to a Scheme for Financing Schools, that are necessary to enable it to comply with changes to the law introduced by the Regulations, do not require consultation or the approval of a Schools Forum.

#### **Recommendation**

6. It is recommended that Schools Forum approve revisions to Dudley's Scheme for Financing Schools as detailed at Appendix A, for implementation with immediate effect.

## **Background**

7. The proposed changes to the Scheme for Financing Schools were issued on 03 November 2023. As these relate only to clarification of existing information no formal consultation was required before the scheme is submitted.
8. The proposed amendments are detailed in Appendix A. In summary, the local revisions proposed are:

### Important changes to the guidance issued by the DfE.

- 5.4 – Further guidance on retention of funds from the sale of assets.

### Local Revisions

- Updated to reflect Council Structure, Contact details, dates and guidance links.
  - 2.1.2 – Update to bring in line with SFVS guidance.
  - 2.8 - Update to bring in line with Scheme for Financing Schools guidance.
  - 2.17 – Update to reflect latest fraud reporting process.
  - 3.5.2 – Removal of reference to delegated banking.
  - 3.6 – Update to IFRS 16 introduction date.
  - 10.1 – Removal of reference to LA insurance.
  - 13.7 – Update to reflect latest guidance
9. Schools Forum members representing maintained mainstream schools that are eligible to vote are as follows:

Primary School members – Mrs Hannaway, Mrs Harris, Ms Maskell, Ms Parkes, Mrs Belcher, Mrs Morgan and Mr Roe.

Secondary school members – Mr Harris and Mrs Watson.

Special School Members – Miss Colbourne and Mr Leyshon.

Nursery School Member – Mrs Ward.

## **Budget Working Group Discussed**

10. Yes – 7 November 2023.

## **Finance**

11. From 1st April 2006, the Schools Budget has been funded by a direct grant; Dedicated School Grant (DSG).

## **Law**

12. The Schools Forum is a statutory decision making and consultative body constituted in line with the School Standards and Framework Act 1998, and its associated regulations, including the Schools Forum (England) (Coronavirus) (Amendment) Regulations 2020, to enable members of the local school community to work in partnership with Dudley Metropolitan Borough Council when making decisions about school funding and finances.
13. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2023.

## **Risk Management**

14. There are no material risks to the Council's Risk Management Framework resulting from the contents of this report.

## **Equality Impact**

15. This report has no direct implications for the Council's commitment to equality and diversity.

## **Human Resources/Organisational Development**

16. This report has no direct implications for human resources, organisational development or service transformation.

## **Commercial/Procurement**

17. There is no impact on the potential to commercially trade and no impact on our customer base.

## **Environment/Climate Change**

18. This report has no direct implications on the environment or the Council's work in addressing Climate and achieving Net Zero target by 2041.

## **Council Priorities and Projects**

19. The 2022/2025 Council Plan is clear in its ambitions for educational outcomes including raising skills, educational and work potential, increasing good or better schools and closing the gap for disadvantaged pupils. This report relates to the use of the Dedicated Schools Grant funding to support the educational outcomes of children and young people in the borough.



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## **List of Background Documents**

Appendix A – Local Revisions to Dudley's Scheme for Financing Schools.



## Appendix A

### Other Important Changes to the Guidance issued by the DfE.

#### 1. **5.4 Income from Sale of Assets**

Further guidance on retention of funds from the sale of land assets included.

Any retention of funds from the sale of land assets is subject to the consent of the Secretary of State, and any conditions the Secretary of State may attach to that consent relating to use of proceeds.

### Local Revisions to Dudley's Scheme for Financing Schools

2. The Scheme has been revised to reflect the latest Council structure, contact details, dates and guidance links.

#### 3. **2.1.2 Provision of Financial Information and Reports**

Revision to the quantity of monitoring reports presented to the governing bodies or management committee from termly to at least six times a year to bring in line with SFVS guidance.

All schools in line with SFVS guidance are reminded that their Governing Bodies or Management Committees should receive clear and concise monitoring reports of the schools, budget position at least six times a year.

#### 4. **2.8 Audit of Voluntary and Private Funds**

Removal and replacement of text to bring in line with Scheme for Financing Schools guidance.

Removed

The procedures for furnishing audit certificates and advice on the handling of such voluntary and private funds can be obtained from the audit department.

Replaced with

Any other requirement as to audit of such funds is a matter for those making the funds available, and any Charity Commission requirements.

Amended text from internal auditors to auditors as should refer to both internal and external auditors.

#### 5. **2.17 Fraud**

Removal of reference to the fraud hotline and replaced with the below text.

The Headteacher or Head of Centre should immediately notify the internal auditors of any suspected irregularities and/or suspected fraud.

## Appendix A

The Head of Audit and Risk Management Services should be contacted immediately.

### 6. **3.5.2 Delegated Banking**

The reference to delegated banking has been removed following consultation with schools.

### 7. **3.6 Borrowing by Schools**

Update to the introduction date of IFRS 16.

The introduction of IFRS 16 was postponed in relation to 2020 to 2023. It has been postponed again until April 2024.

### 8. **10.1 Insurance Cover**

The reference to the LA insurance guidance has been removed.

### 9. **13.7 Extended Services – Audit**

Removal and replacement of text to bring in line with guidance.

Removed

This requires schools to co-operate with internal and external auditors, and to grant access to appropriate records, includes income and expenditure relating to the activity.

Replaced

In order to facilitate internal and external audit of relevant income and expenditure schools are required grant access to appropriate records, including all income and expenditure relating to the activity.

## **Schools Forum 14 November 2023**

### **Report of the Director of Children's Services**

### **Delivering Best Value (DBV) in SEND Update**

#### **Purpose**

1. To provide Schools Forum with an update on the Delivering Best Value in SEND programme in Dudley.

#### **Recommendations**

2. That Schools Forum:
  - Note the content of the DBV Update Report

#### **Background**

3. In our last report, we discussed the background and challenges we faced in 2022, particularly in relation to the overspend of the High Needs Block. We highlighted the initiation of the Delivering Best Value in SEND (DBV) program, along with its key focus areas.

This update report builds upon our previous discussions and aims to provide you with the latest developments and progress made since then. We will focus on the ongoing efforts to address the challenges outlined in our last communication and provide insight into our journey towards a more sustainable and cost-effective SEND provision. The workstreams established in response to the findings by Newton Europe continue to be at the forefront of our focus.

In our ongoing efforts to address the challenge, we have refined our key strategic workstreams. The four core areas of focus now include:

- Redesigning our specialist services and OAP offer
- Developing and delivering our sufficiency strategy
- Preparation for Adulthood
- Redesigning our Spend Profile

Moreover, we are pleased to report the addition of our DBV Programme lead (interim) who will play a pivotal role in supporting workstream leads in driving the delivery of these strategic workstreams.

### **Activity since last period: Key Developments**

#### **4. Workstream 1 - Redesigning our specialist services and OAP offer**

To ensure a collective approach to co-production at a system-wide level, we have engaged Genuine Partnerships to deliver 4 Cornerstones Training across our partnership, which includes the Local Authority (LA), Health, Schools, and the Parent Carer Forum (PCF). This collaborative effort is intended to drive the required changes effectively.

Children's Services is in the final stages of Phase 2 redesign, with a strong commitment to redeveloping the delivery model of specialist services. The goal is to provide increased capacity and confidence within our mainstream settings. This redesign primarily focuses on services related to Hearing, Visual, and Physical Impairments, Speech and Language support, and Autism Outreach. Furthermore, a review is underway to adapt the Learning Support Service model currently in place. We aim to complete this work by Spring/Summer 2024, paving the way for new delivery models to be established for the 2024/25 Academic Year.

In line with our commitment to align with key strategic priorities and drivers, we have initiated a review of the Dudley SEND Self Evaluation (SEF) and Dudley SEND Strategy. These reviews will account for the Delivering Best Value (DBV) Programme's outcomes, emphasising the importance of delivering a clear Ordinarily Available and Graduated Approach as a pivotal component in advancing our SEND provision.

## Workstream 2 - Developing and delivering our sufficiency strategy.

Workstream 2 is well progressed. We have commissioned additional resource bases and SEND Units within mainstream schools to provide additional provision from September 2023, and have now commissioned five locality Inclusion Hubs within early years settings/provision. We have invested in the building of a replacement special school (Pens Meadow) which is on target for delivery within the autumn term of September 2025.

We launched a comprehensive review of our Alternative Provision and Inclusion strategy in September 2023. An initial workshop with internal officers and representatives from social care, health and SEND took place on 28 September and this will be followed by workshops with Secondary Headteachers on 12 October and Primary Headteachers on 20 October. This will allow us to scope the work required to redesign our alternative provision into the future. A key change is the focus on developing 'Educational Pathways'. As part of the review, we are sharing key data with schools about exclusions and suspensions and expenditure on contracts.

We are also revising our understanding and need for our Alternative Provision/Pupil Referral Units and the place they have to play. Our focus is shifting to a preventative model where fundamentally, timely intervention means that we are preventing all exclusions and supporting children with SEND to be appropriately supported to remain in mainstream education.

We are currently working to also commission Welfare Call to add value to our intelligence data on engagement and take up of specialist provision by SEND learners. It is anticipated that such data will provide clearer evidence to support best value decisions regarding provision, and influence EHCP planning to ensure outcomes-based impact.

Work is developing on our sufficiency strategy to consider projection data in order that we are mindful to have the right provision to provide sufficiency, but not develop a glut of provision that fosters a culture of escalation of provision type (irrespective of actual need).

### Workstream 3 – Preparation of Adulthood

Preparation for Adulthood continues to focus on areas beyond the APP. Further work is being undertaken to ensure that post 16 developments already delivered are expanded upon to be inclusive of children who do not have an EHCP (those with SEN or SEN Support). Table 1 provides detail of the upcoming programme of work.

### Workstream 4 – Redesigning our Spend Profile

This workstream is not included in the formal agreement with the DfE, but it is a vital action that forms the foundation for all other DBV work being undertaken.

Redesigning our Spend Profile is a strategic response to our commitment to delivering high-quality educational support and services for children and young people with SEND while addressing budgetary constraints. The primary objective of this workstream is to optimise our spending by identifying EHCPs suitable for cessation and improving the timeliness of annual reviews. Through these actions, we aim to enhance service quality, ensure appropriate outcomes within EHCPs, and drive down costs effectively.

Table 1 shows the programme plan of Workstream activities for the period from October 2023 to January 2024, providing a comprehensive overview of the next steps for each Workstream within the programme.

Table 1. Programme Plan of Workstream Activities for October 2023 to January 2024

<b>Workstream 1 - Redesigning our specialist services and OAP offer.</b>					
	Next Steps (Between Oct 2023 to Jan 2024)	Impact	RAG Status		
			On track	Monitor	At Risk
<p><b>1.1 Commissioning of Genuine Partnerships</b></p> <p><b>Purpose:</b> Foster collaborative partnerships to enhance stakeholder engagement, leverage external resources, and promote co-production values.</p>	<ul style="list-style-type: none"> <li>Identify potential partners for collaboration based on Four Cornerstones Co-production work.</li> <li>Refresh partnership agreements</li> <li>Undertake training</li> </ul>	<ul style="list-style-type: none"> <li>Enhanced collaboration with external partners</li> <li>Improved stakeholder engagement- Strengthened co-production values</li> </ul>	On Track		
<p><b>1.2 Reframing our Ordinarily Available Provision (OAP) Offer</b></p> <p><b>Purpose:</b> An inclusive framework for improved access and effectiveness while setting clear expectations for schools and settings</p>	<ul style="list-style-type: none"> <li>Form Task &amp; Finish Group and define their objectives.</li> <li>Kick-off subgroups and undertake a baseline assessment.</li> <li>Develop the framework and allocate necessary resources.</li> <li>Engage pupils, parents, and stakeholders for input.</li> <li>Review and test the draft framework.</li> </ul>	<ul style="list-style-type: none"> <li>Clear expectations for OAP in schools and settings</li> <li>Enhanced provision of support, resources, and services</li> </ul>	Monitor		
<p><b>1.3 Redesigning our Specialist Services Delivery Models</b></p> <p><b>Purpose:</b> Adopt an outward-facing approach to foster greater school support, confidence, and in-house capacity for children with SEND</p>	<ul style="list-style-type: none"> <li>Setup Specialist Services Redesign Working Group</li> <li>Define objectives, roles, and responsibilities.</li> <li>Conduct a service assessment and gap analysis.</li> <li>Collaboratively design ideal services required</li> </ul>	<ul style="list-style-type: none"> <li>Improved support and confidence in schools</li> <li>Enhanced in-house capacity to meet children's needs</li> </ul>	On Track		
<p><b>1.4 Supporting Schools to Build Capacity</b></p> <p><b>Purpose:</b> Identify training needs, develop tailored materials, and equip mainstream settings to support children without EHCPs</p>	<ul style="list-style-type: none"> <li>Determine specific training gaps and needs.</li> <li>Commission training providers and develop training materials</li> </ul>	<ul style="list-style-type: none"> <li>Improved capacity of mainstream schools</li> <li>Enhanced support for children without EHCPs</li> </ul>	Monitor		

## Workstream 2 - Developing and delivering our sufficiency strategy.

	Next Steps (Between Oct 2023 to Jan 2024)	Impact	RAG Status		
			On track	Monitor	At Risk
<p>2.1 Developing and Implementing Sufficiency Plan</p> <p><b>Purpose:</b> To create a comprehensive plan that ensures there are adequate services and resources to meet the current and future needs of children and young people with SEND in Dudley</p>	<ul style="list-style-type: none"> <li>Identify additional resources for root cause analysis and data cleansing.</li> <li>Identify gaps and priority developments for SEND pathways.</li> <li>Establish shared tracking systems for EHCP provision.</li> <li>Engage key stakeholders for strategy development.</li> <li>Conduct in-depth assessments and understand needs.</li> <li>Determine specific services and provision capacity required.</li> <li>Perform a gap analysis to identify shortfalls.</li> <li>Collaborate with stakeholders for the development of a comprehensive strategy</li> </ul>	<ul style="list-style-type: none"> <li>Improved service adequacy and resource allocation</li> <li>Enhanced understanding of children's needs and capacity gaps.</li> </ul>	Monitor		
<p>2.2 Implementation of Resource Bases/SEND Units</p> <p><b>Purpose:</b> To establish and operate Resource Bases and SEND Units to provide specialised educational support and services for children and young people with SEND</p>	<ul style="list-style-type: none"> <li>Ensure effective integration with mainstream schools (ongoing)</li> <li>Supervise data collection on student progress and resource base effectiveness.</li> </ul>	<ul style="list-style-type: none"> <li>Establishment of resource bases and SEND units.</li> <li>Integration with mainstream schools</li> <li>Monitoring student progress</li> </ul>	On Track		
<p>2.3 Commissioning of Resource Bases/SEND Units for 2024</p>	<ul style="list-style-type: none"> <li>Identify specific schools for resource bases and collaborate with stakeholders.</li> <li>Gather evidence of the voice of the child</li> <li>Proceed with the tender process and evaluation.</li> <li>Statutory consultation period for providers</li> </ul>	<ul style="list-style-type: none"> <li>Expansion of resource bases</li> <li>Stakeholder consultation and involvement</li> </ul>	On Track		
<p>2.4 Commissioning of Early Years Inclusion Hubs</p>	<ul style="list-style-type: none"> <li>Complete tender of the Early Years hubs and draft contracts</li> <li>Agree on and sign contracts with providers.</li> </ul>	<ul style="list-style-type: none"> <li>Establishment of Early Years Inclusion Hubs</li> </ul>	On Track		
<p>2.5 Implementation of Early Years Inclusion Hubs (Oct 2023)</p>	<ul style="list-style-type: none"> <li>Provide hubs with a list of allocated children.</li> <li>Introduce parents and children to the hubs.</li> <li>Manage TUPE and staff transfer to hubs</li> </ul>	<ul style="list-style-type: none"> <li>Rollout and operationalisation of</li> </ul>	On Track		



Workstream 2 - Developing and delivering our sufficiency strategy.					
	Next Steps (Between Oct 2023 to Jan 2024)	Impact	RAG Status		
			On track	Monitor	At Risk
<p><b>Purpose:</b> To ensure the smooth implementation and operation of the Early Years Inclusion Hubs</p>		Early Years Inclusion Hubs	On Track		
<p>2.6 Implementation of Early Identification Pathway with Health</p> <p><b>Purpose:</b> To establish and execute an early identification process in collaboration with health services</p>	<ul style="list-style-type: none"> <li>Develop and agree upon the Early Notification Process with Health</li> <li>Share the Early Notification Process at DLT (Dudley Leadership Team).</li> </ul>	<ul style="list-style-type: none"> <li>Enhanced early identification of children's needs through collaboration with Health</li> </ul>			

Workstream 3 – Preparation for Adulthood					
	Next Steps (Between Oct 2023 to Jan 2024)	Impact	RAG Status		
			On track	Monitor	At Risk
<p>3.1 Develop the PFA Pathway</p> <p><b>Purpose:</b> Create a clear transition pathway for young people with disabilities.</p>	<ul style="list-style-type: none"> <li>Identify stakeholders for insights.</li> <li>Design draft structured PFA pathway</li> </ul>	<ul style="list-style-type: none"> <li>Empowering smooth transition for young people</li> </ul>	On Track		
<p>3.2 Development of Apprenticeships and Supported Internships</p> <p><b>Purpose:</b> Create Apprenticeship and Supported Internships opportunities for Young People with SEND in Dudley</p>	<ul style="list-style-type: none"> <li>Collaborate with Employment &amp; Skills Board</li> <li>Assess demand for internships.</li> <li>Develop program design and framework</li> </ul>	<ul style="list-style-type: none"> <li>Enabling pathways to employment for young people</li> </ul>	On Track		
<p>3.3 Implement Independent Travel Training</p> <p><b>Purpose:</b> Empower young people with disabilities travel skills for independence</p>	<ul style="list-style-type: none"> <li>Identify travel challenges with stakeholders.</li> <li>Develop travel training curriculum.</li> <li>Allocate budget</li> </ul>	<ul style="list-style-type: none"> <li>Enhancing mobility and independence of young people</li> </ul>	Monitor		

Workstream 4 – Redesigning our Spend Profile					
	Next Steps (Between Oct 2023 to Jan 2024)	Impact	RAG Status		
			On track	Monitor	At Risk
4.1 EHCP Cessations <b>Purpose:</b> Improve the annual review process and identify EHCPs for cessation	<ul style="list-style-type: none"> <li>Identify capacity and resource to focus on cohort.</li> <li>Identify EHCPs to be targeted for cessation.</li> <li>Implement strategies for improved efficiency in annual reviews.</li> <li>Undertake reviews</li> </ul>	<ul style="list-style-type: none"> <li>Driving down costs</li> </ul>	Monitor		
4.2 Develop Data infrastructure for DBV Programme <b>Purpose:</b> Design and implement an effective data infrastructure	<ul style="list-style-type: none"> <li>Develop DBV dashboard to report on programme impact</li> </ul>	<ul style="list-style-type: none"> <li>Enhance data driven decision-making</li> </ul>	Monitor		
4.3 Design & implement operational metrics for benefits. <b>Purpose:</b> Develop metrics for benefits calculation	<ul style="list-style-type: none"> <li>Create operational metrics and define KPI's.</li> <li>Determine data sources.</li> <li>Implement system</li> </ul>	<ul style="list-style-type: none"> <li>Improved financial analysis and decision-making</li> </ul>	Monitor		

## **Finance**

5. Grant funding of £1m from DfE will support the ongoing development and initial delivery of the DVB programme outcomes. Base budgets within the Dedicated Schools Grant (DSG) (High Needs Block) and capital funding approved within the local authority's capital programme will also support ongoing activities as detailed above which will seek to achieve required efficiencies. As at the end of the financial year 2022/23, the local authority had a deficit balance on the DSG (High Needs Block) of £26.676m with a current budgeted deficit for 2023/24 of £31.278m. The Delivering Better Value in SEND programme aims to bring under control and reverse this increasing deficit, which can, until the end of the 2025/26 financial year, continue to be held in an unusable reserve and carried forward as a deficit on the local authority's DSG balance.

## **Law**

6. The Schools Forum is a statutory decision making and consultative body constituted in line with the School Standards and Framework Act 1998, and its associated regulations, including the Schools Forum (England) Regulations 2012, to enable members of the local school community to work in partnership with Dudley Metropolitan Borough Council when making decisions about school funding and finances. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2023.

## **Risk Management**

7. There are no material risks to the Council's Risk Management Framework resulting from the contents of this report.

## **Equality Impact**

8. This report has no direct implications for the Council's commitment to equality and diversity.

## **Human Resources/Organisational Development**

9. This report has no direct implications for human resources, organisational development, or service transformation.

## **Commercial/Procurement**

10. There is no impact on the potential to commercially trade and no impact on our customer base.

## **Environment / Climate Change**

11. This report has no direct implications on the environment or the Council's work in addressing Climate and achieving Net Zero target by 2041.

## **Council Priorities and Projects**

12. The 2022/2025 Council Plan is clear in its ambitions for educational outcomes including raising skills, educational and work potential, increasing good or better schools and closing the gap for disadvantaged pupils. This report relates to the use of the Dedicated Schools Grant (HNB) funding to support the educational outcomes of children and young people in the borough.



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