

**Minutes of Dudley Schools Forum  
Tuesday, 21st June, 2022 at 6.00 pm  
Microsoft Teams**

**Present:**

Mrs J Belcher (Chair)  
Mrs J Morgan (Vice-Chair)  
Mrs R Cox, Mr C Finnerty, Mrs A Hannaway, Mrs J Higgins, Mr M Kelay, Mrs L Maskell, Mr P Leyshon, Mr T Macdonald, Ms A Middleton, Mr M Moody, Mrs E O'Brien, Mr T Reid, Mr B Roe, Miss F Sumner, Mr K Tranter, Miss A Ward and Mrs S Watson.

**Non-Voting Officers:**

C Driscoll (Director of Children's Services), H Ellis (Service Director Early Help/Schools and SEND), S Hickman (Consultant), L Jones-Moore (Senior Principal Accountant), C Ludwig (Finance Manager), M Palfreyman (Head of Education Outcomes and Inclusion) and K Taylor (Democratic Services Officer).

**Also in Attendance:**

Councillor P Bradley (Chair of Children and Young People Scrutiny Committee).  
Councillor R Buttery (Cabinet Member for Children and Young People).

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52 **Introductions by the Chair**

The Chair welcomed everyone to the meeting, in particular welcoming Miss F Sumner, Academy Member Representative, to her first Schools Forum meeting.

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53 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of Mrs A Clarke, Mr A Dobson, Mrs C Finnegan, Mr D Mcnaney and Mr M Mynott.

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54 **Minutes**

## Resolved

That, subject to the inclusion of Mrs A Hannaway and Mr P Leyshon's attendance, the minutes of the meeting held on 29<sup>th</sup> March 2022, be approved as a correct record.

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### 55 **Matters Arising from the Minutes**

No issues were raised under this agenda item.

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### 56 **Head Teachers Consultative Forum – Budget Working Group (HTCF-BWG) Verbal Feedback**

Mrs R Cox, Academy Member representative, provided feedback from the discussions held at the previous HTCF-BWG meeting, advising that although the number of Covid-19 cases had declined, there had been significant disruption in schools with employees suffering from Long-Covid symptoms. The Head of Education Outcomes and Inclusion expressed thanks for the work undertaken by all in supporting pupils and employees during the Pandemic.

It was reported that the School Improvement Team, comprising three officers, were now working in localities, and would be visiting all schools in areas that were assigned to them. The officers would be the first point of contact for the Head Teacher, with up to three meetings arranged each year, alongside meetings each half-term with the Local Authority for the respective township. The Budget Working Group requested that the Local Authority meetings did not integrate with the current township meetings.

The Local Authority had undertaken work in relation to attendance policies which would be circulated for information. The Education Investigation Services, that supports schools with absences, would be now known as Education Support Service and would be offering support to families in the first instance. The Budget Working group queried whether there was sufficient capacity within the Team to accommodate the increased remit given the existing heavy workload.

Following work undertaken by the Local Authority on the number of children on part-time timetables, part-time guidance for schools was currently being developed. Reference was made to the recently published Government Levelling-Up Agenda White Paper, where there was some uncertainty of the specific implications for Dudley going forward.

On 6<sup>th</sup> June, 2022, a meeting was held with Head Teachers and Chairs with the Chief Executive Officer, Confederation of School Trusts in relation to academisation and the implications of the Government Levelling-Up Agenda White Paper. It was confirmed that one-to-one meetings would be held with non-Academy schools during the Autumn Term seeking views on academisation. Although the Regional Schools Commissioner indicated that they preferred larger National Academy Trusts, the Local Authority remained committed to local Trusts moving forward.

Work had commenced around the recently published Government Green Paper which focused primarily on support for children and young people with Special Educational Needs and Disabilities.

A presentation was provided in relation to Place Planning and a discussion ensued on the impact to schools that were located on the Dudley/Birmingham border and potential increase for demand for Reception places.

It was noted that detailed information in relation to combined services funding, including impact to services and value for money had not been provided despite previous requests.

The Budget Working Group was advised that SEND support had been streamlined into three posts, with the SEND Lead Practitioner as the liaison officer between schools and the SEND Team identifying barriers in relation to SEND provision. The remaining budget would be utilised for workforce development focusing on areas including Continuing Professional Development (CPD) and work on resilience and trauma, however Members queried whether this was already covered by the SEND Team.

An update on the Education Skills and Funding Agency Financial Management Plan was provided including financial information of the baseline to 2026/27 together with proposals for reducing the deficit. A document which evaluated previous targets set in reducing the deficit and reasons outlining what has and not worked was suggested. The Department of Education had allocated an Operations and Financial Advisor to work with the Local Authority in order to bring forward more detailed information.

Arising from an assessment of the condition of the suitability of the Pens Meadow sites, it was reported that the Pens Meadow scored the highest of DMBC schools with a score of 101 out of 116, the second highest school scored 81. It was therefore evident that this supported the view that Pens Meadow was the top priority for redevelopment. The re-build would cost approximately £15.6m, and it was noted that the only viable option to fund was to borrow the capital required and support the repayments through the Council's General Fund. The final decision would be made by the Cabinet in June, 2022 and would increase the Published Admission Number to 45.

It was considered that the Scheme for Financing Schools was not communicated as effectively last year and it was requested that the information be circulated again during the Summer and the possibility of developing online training for schools in order to provide a thorough understanding of this complex area was suggested.

The Chair expressed her appreciation for the detailed feedback from Mrs R Cox.

**Resolved**

That the feedback provided be noted.

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57 **Schools Forum Membership**

A report of the Director of Children's Services was submitted on an update in respect of Schools Forum membership changes effective from 1<sup>st</sup> May, 2022.

The Democratic Services Officer in presenting the report outlined the membership changes as a result of the recent election process. It was noted that there remained a vacancy for a Primary School Head Teacher which would remain until the next election process.

**Resolved**

That the updated position in respect of the membership of Dudley's Schools Forum effective from 1<sup>st</sup> May, 2022, as referred to in Appendix A of the report submitted, be noted.

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58 **Schools Forum Proposed Meetings and Forward Plan for the 2022/23 Academic Year**

A report of the Director of Children's Services was submitted on the schedule of proposed meeting dates and Forward Plan for the 2022/23 academic year.

In presenting the report submitted, the Democratic Services Officer advised representatives that a Schools Forum training session would be arranged in September, 2022 to provide further information regarding the roles and responsibilities of the Forum. All representatives would be invited to the training once arranged.

**Resolved**

That the meeting dates proposed for the 2022/23 academic year, as outlined in Table 1 of the report submitted, together with the forward plan, as attached at Appendix A to the report submitted, be agreed and endorsed.

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59 **Combined Services Budget Outturn 2021/22**

A report of the Director of Children's Services was submitted on the financial data and detailed service provider information in respect of the Combined Services Budget for the 2021/22 financial year, which ended 31<sup>st</sup> March, 2022.



The Senior Principal Accountant presented the report submitted and in doing so confirmed that the combined budget of £205,000 for 2021/22 had been assigned.

## **Resolved**

That the information contained in the report, in respect of the combined services budget outturn for 2021/22 and service provision, as detailed in Table 1 of the report submitted, be noted.

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### 60 **Dedicated Schools Grant Outturn and School Reserves 2021/22**

A report of the Director of Children's Services was submitted on the Schools Budget funded by the Dedicated Schools Grant (DSG) for the 2021/22 financial year, that ended 31<sup>st</sup> March, 2022.

The Senior Principal Accountant presented the report, and in doing so, referred to Table 1 of the report submitted that confirmed that there was a cumulative deficit in respect of the centrally retained DSG for 2021/22 of £18,134, and together with a £915k surplus on the Schools Specific Contingency reserve, this resulted in the overall total net deficit of £17.2m for 2021/22.

A breakdown of the Centrally Retained DSG Reserve Expenditure was outlined in Appendix B to the report submitted and outlined at the meeting.

It was noted that eight schools held balances greater than those permitted within the Balance Control Mechanism, one of which was of low value and not considered for clawback. Following submissions from the other seven schools, the Director of Children's Services and the Service Director for Early Help, Schools and SEND determined that the surplus reserves, totalling £198k, should not be removed from the schools and retained centrally. It was noted however, that schools that were utilising excess balances to subsidise capital projects should be completed by 31<sup>st</sup> March, 2023.

Reference was also made to one school that had set aside reserves to balance the 2021/22 budget, and following submissions, the Director of Children's Services and the Service Director for Early Help, Schools and SEND determined that the reserves, totalling £8,000, should not be removed from the schools and retained centrally. It was noted however, that schools that were utilising excess balances to subsidise capital projects should be completed by 31<sup>st</sup> March, 2023.

The Senior Principal Accountant informed representatives that three schools ended the year with financial deficits, and that the Local Authority was working with the schools and providing support in order to balance the budget in 2022/23. It was further noted that no schools operated with a Licensed Deficit during 2021/22.

In responding to a question raised by Mr B Roe, Primary School Governor Representative, the Senior Principal Accountant confirmed that the eight schools that had held balances greater than that permitted was not the same schools that had been reported previously. Assurance was given that budgets were heavily scrutinised and that the amounts involved were minimal.

### **Resolved**

- (1) That the 2021/22 Dedicated Schools Grant Outturn and Accumulated Reserve, as detailed in Appendix A and B of the report submitted, be noted.
- (2) That the 2021/22 financial outturn in respect of the reserves for Dudley maintained schools, be noted.

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## 61 **Update on the use of the School Specific Contingency Reserve**

A report of the Director of Children's Services was submitted on the latest financial forecast in respect of plans to spend the School Specific Reserves Expenditure (£511k) for 2022/23 and beyond.

The Head of Education Outcomes and Inclusion in presenting the report submitted referred to a number of workshops undertaken with Headteachers in order to discuss need for SEND support in schools. The expenditure for the SEND Specific Workforce Development Model was intended to support a process of change in the whole SEND system across Dudley.

It was noted that there was not currently a definitive Continuing Professional Development (CPD) plan in understanding the complexities of children including those retained in mainstream schools and this work was expected to evolve once the SEND Lead Practitioner was appointed. The role of the SEND Lead Practitioner and two designated SEND Development Officers would be crucial in supporting children with SEND in Dudley moving forward.

The Head of Education Outcomes and Inclusion confirmed that the SEND Lead Practitioner salary was comparable to an Assistant Headteacher and had been considered in accordance with the Local Authority pay grading system.

In responding to a suggestion made, it was agreed that a further update on progress made, including the CPD Plan, would be presented to Schools Forum in November, 2022. It was emphasised that reviewing against impact would be given to ensure that children with an Education Health Care Plan was welcomed into mainstream school with focus on progress and attainment.

Representatives were advised that the additional funding would drive improvement for mainstream schools, which would shape the workforce development in conjunction with a graduated provision model approach in order to ascertain how staff in mainstream schools were being developed. It was anticipated that a number of Working Groups would be established to ensure good representations across the Borough.

### **Resolved**

- (1) That the information contained in the report submitted and comments made by Schools Forum in relation to the outlined expenditure for the Schools Specific Contingency Reserve of £511k, be noted.
- (2) That a further update on progress made, including the Continuing Professional Development Plan, be submitted to Schools Forum in November, 2022.

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## **62 Education Skills and Funding Agency Management Plan Update**

A report of the Director of Children's Services was submitted updating Schools Forum on Dudley Metropolitan Borough Council's activities and progress at a strategic level towards achieving the outcomes of the Education Skills and Funding Agency (ESFA) Management Plan / Financial Recovery Plan.

In introducing the report by presentation slides, the Service Director Early Help/Schools and SEND referred to the development undertaken across the Written Statement of Action and wider SEND Improvement Programme. Following the SEND revisit in February 2022, it was reported that progress had been made in eight areas, and a revised Accelerated Progress Plan had been developed for the remaining six areas of improvement, which would be considered by the Department for Education and Care Quality Commission shortly.

In addition to reviewing the wider Self Evaluation activity and SEND Improvement Programme, the Local Authority had taken the opportunity to refine the improvement programme to take a more robust approach to "0-25" and "Whole System Approach" to improvement. This has allowed a more strategic aligned approach to the ESFA Management Plan and utilise the tool as direct assurance of the improvement activity across the system. A number of meetings had been undertaken and Schools Forum would continue to be updated accordingly.

The Service Director Early Help/Schools and SEND referred to the challenges faced in relation to High Needs and emphasised the priority in keeping children educated within their communities with SEND support. It was also emphasised that the challenges faced were not solely the responsibility of the Local Authority but that a whole system approach was essential in addressing issues.

It was noted that the Local Authority Finance Recovery Group governance approach had been aligned to be in conjunction with progress updates to the Budget Working Group and reference was made to the Sufficiency Strategy and the implementation of the Graduated Provision Model to start addressing the ongoing need for high cost out of borough placements.

The Senior Principal Accountant provided an update on the financial position, in particular, that the in-year net provision of the Dedicated Schools Grant for 2022/23 was a deficit of £23.6m which assumed a cumulative target of savings totalling £5.3m, with £2.8m of savings having been achieved to date. The in-year position would reduce in the current plan over time, and it was noted that in 2022/23 the overspend of £5.5m was reflected, with a projected in year deficit of £713k for 2026/27. The financial year position included a number of assumptions, including achievement of savings year on year, income assumptions based on ESFA recommendations and the assumed growth on Education, Health and Care Plans of 6% for 2022/23 and subsequently 5% year on year.

The SEND Manager then provided an update in relation to Education, Health and Care Plans (EHCP) cohort data, in particular, highlighting the overall and financial projections with the assumed 5% year on year growth, together with the SEND needs with the assumed growth in the population which looked at increases and variances across individual need types. It was noted that by applying and monitoring the trends on a regular basis would enable a more accurate forecasting of future demand.

In responding to a question by Mrs R Cox Academy Member representative, the SEND Manager confirmed that the cohort data was categorised by age group in addition to primary and secondary need, and collected by school census, SEND data and finance data to ensure accuracy and quality.

The Service Director Early Help/Schools and SEND acknowledged that there had been issues nationally with applying definitions in databases, including Integris, and confirmed that discussions had been held with the Department of Education to address the issue further. The Local Authority would review existing software programmes to enable the collation of information in relation to the number of EHCPs applied for, granted and rejected.

Following clarification sought in relation to the EHCP Cohort data excluding Autism Spectrum Disorder (ASD) and Social, Emotional and Mental Health (SEMH) together with the accuracy on EHCP requests and the use of school level data for Integris and Census returns, the SEND Manager confirmed that the two key primary needs identified exceeded change in population growth rates. A process had been implemented working with the SEND Team enhancing data entry and ensuring that the right needs were captured, as well as monitoring data received from schools. It was noted that quality reports were composed outlining exceptions where the needs from school data and the SEND Team data did not correlate, which would then be investigated. It was further acknowledged that consistency of EHCPs across the borough was an area of concern amongst schools.



Representatives was provided with statistical information in relation to the 0-25 EHCP Active Finance Attached against No Finance for the current national curriculum group as at April, 2022. The data enabled the Local Authority to focus on specific areas where processes could be improved or re-visited in relation to EHCP's.

The Service Director Early Help/Schools and SEND confirmed that work would commence with the ESFA as part of the Delivering Better Value Programme and the Local Authority would continue to review and refine the management actions as well as the finance recovery plan. The full ESFA Management Plan would be published on the Local Offer by the end of the summer term 2022. All schools and providers would be informed of the publication once completed.

Mrs J Higgins Academy Member Representative, although acknowledged the £2.8m savings achieved to date, referred to the issues surrounding the increasing number of young people that required EHCPs and therefore queried how the £2.8m savings were made given the crisis around EHCPs and permanent exclusions. In responding, the Service Director Early Help/Schools acknowledged that further work was required in relation to SEND support, through reviewing the SEND toolkit and in some cases, whether an EHCP was needed. The challenges in relation to the number of requests received for Year 9 children had raised the query as to why an EHCP assessment had not already been undertaken was mentioned. It was further reiterated that the challenges faced was not solely the responsibility of the Local Authority but that a whole system approach was essential in addressing issues. It was the Local Authority's priority in supporting children with SEND in mainstream schools in order to achieve better outcomes.

Mrs J Higgins Academy Member Representative stated that it was evident that some children could not function in mainstream schools which had resulted in the increased number of permanent exclusions. Urgent priority should be given to considering specialist high quality alternative provision to meet their needs, and it was confirmed that she would be writing her concerns to the Secretary of State. Although the SEND Green Paper was positive with the three-tier approach, there was insufficient resources to implement accordingly.

The Service Director Early Help/Schools and SEND acknowledged the comments made and emphasised the need for partnership working. The Local Authority welcomed the Government Green Paper in relation to the amalgamation of SEND and Alternative Provision.

## **Resolved**

That the progress achieved and the revised approaches, including the baselined position of the forecast and the approach of aligning improvement activity to the financial recovery of the High Needs Block of the Dedicated Schools Grant, be noted.

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## 63 **Rebuilding of Pens Meadow School**



A report of the Director of Children's Services was submitted on the proposal to support the rebuilding of Pens Meadow School through Dudley Metropolitan Borough Council's General Fund.

**Resolved**

- (1) That the current challenges with the Pens Meadow school site be noted.
- (2) That the Council's proposal to resolve the issues through allocation of revenue through the Council's General Fund as a one-off action be noted.

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64 **Directorate of Children's Services – Verbal Update**

The Director of Children's Services referred to Dudley's participation in a three year 'Delivering Better Value in SEND support' Programme established by the Department for Education to provide dedicated support to help authorities that had substantial Dedicated Schools Grant deficits for High Needs. The amount of additional funding to be utilised on data collection in order to understand the Local Authority's spending and to support the improvement programme, was expected to be confirmed shortly. Newton Europe and the Chartered Institute of Public Finance and Accountancy (CIPFA) had been awarded the contract in delivering the programme of support on an outcome focused, evidence based, data driven and delivery focused approach, following a tendering process undertaken by the Department for Education.

It was anticipated that Schools Forum would be consulted as part of the diagnostic phase for reviewing data, together with contributions sought from the Parent / Carer Forum to improve outcomes for children and manage the significant deficit.

It was noted that the consultation exercise in relation to the SEND and Alternative Provision Green Paper had been extended until 22<sup>nd</sup> July, 2022

**Resolved**

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

The meeting ended at 7.10pm

CHAIR