

Meeting of the Dudley Schools Forum

Tuesday 21st June, 2022 at 6.00pm on Microsoft Teams

Click on this link to access the Meeting

Agenda - Public Session

(Meeting open to the public and press)

Announcement

Welcome to this virtual meeting of Dudley Schools Forum. The public proceedings will take place live on the Internet. The meeting will be recorded for future viewing.

It will assist the conduct of business if participants speak only when invited.

Members of the public are welcome to view the proceedings but should not make contributions at this meeting.

All Members of the Forum have received the reports in advance and had the opportunity to read them. The reports are published on the Internet.

All participants should mute their microphones and video feed when they are not speaking.

Anyone wishing to speak should indicate using the 'raise your hand' button on Microsoft Teams. 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.

If you do not have the hand button, please type your request to speak in the chat function, or alternatively switch your camera on to indicate to speak.

Finally, I ask for everyone's patience with the use of the technology. I apologise in advance if we experience any unforeseen difficulties which we shall try to resolve.

- 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 29th March, 2022 (attached).
- 5. Any other matters arising from the Minutes of the meetings of the Forum held on 29th March, 2022, not included on the agenda for this meeting.
- 8. Head Teachers Consultative Forum Budget Working Group Verbal Feedback
- 9. Schools Forum Membership Update (Pages 1-5)
- 10. Schools Forum Proposed Meetings and Forward Plan for the 2022/23 Academic Year (Pages 6 11)
- 11. Combined Services Budget Outturn 2021/22 (Pages 12 16)
- 12. Dedicated Schools Grant Outturn and Schools Reserves 2021/22 (Pages 17 26)
- 13. Update on the use of the School Specific Contingency Reserve (Pages 27 32)
- 14. Education Skills and Funding Agency Management Plan Update (Pages 33 37)
- 15. Rebuilding of Pens Meadow School (Pages 38 41)

16. Children's Directorate Verbal Update

Chief Executive

Dated: 9th June, 2022

Distribution:

Members of Dudley Schools Forum

Nursery School Headteacher: Miss A Ward;

Primary School Headteachers: Mrs C Finnegan, Mrs A Hannaway, Mrs L Maskell and

Vacancy;

Primary School Governors: Mrs J Belcher, Mrs A Clarke, Mrs J Morgan and Mr B Roe;

Secondary School Headteacher: Mr S Dixon; 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 T Macdonald, Mr D Mcnaney, Mr M Moody, Mr M Mynott, Miss F Sumner and Mr K

Tranter:

Pupil Referral Unit Representative: Mrs V Howard;

Non-School Members: Mrs E O'Brien, Mr A Dobson, Ms A Middleton and Mr T Reid.

Non-Voting Attendees

Councillor R Buttery - Cabinet Member for Children and Young People;

Councillor P Bradley - Chair of Children and Young People Scrutiny Committee;

C Driscoll – Director of Children's Services;

H Ellis – Service Director Early Help/Schools and SEND;

M Palfreyman – Head of Education Outcomes and Inclusion;

C Ludwig – Finance Manager;

L Jones-Moore – 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.
- This is a formal meeting and it will assist the conduct of business if participants speak only when invited by the Chair.
- 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.
- Members of the public can view the proceedings by clicking on the link provided on the agenda.
- The Council reserves the right to record meetings. Recording/ reporting is only permitted during the public session of the meeting.

Schools Forum Members

- Agendas containing reports with exempt information should be treated as private
 and confidential. It is your responsibility to ensure that information containing
 private and personal data is kept safe and secure at all times. Following the
 meeting confidential papers should be handed to the Democratic Services Officer
 for secure disposal. If you choose to retain the documents you should ensure that
 the information is securely stored and destroyed within six months.
- 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 Karen Taylor,
 Telephone 01384 818116 or E-mail karen.taylor@dudley.gov.uk
- You can view the <u>Democratic Services Privacy Notice</u> and more information about the Council and our meetings on the website <u>www.dudley.gov.uk</u>





Minutes of Dudley Schools Forum Tuesday, 29th March, 2022 at 6.00 pm Microsoft Teams

Present:

Mrs J Belcher (Chair)
Mrs J Morgan (Vice-Chair)
Mr A Dobson, Mrs A Clarke, Mrs J Higgins, Mrs V Howard, Mr M Kelay, Mrs L Maskell, Mr D
Mcnaney, Mr M Moody, Mr M Mynott, Mrs E O'Brien, Mr T Reid, 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), L Jones-Moore (Senior Principal Accountant), C Ludwig (Finance Manager), M Palfreyman (Head of Education Outcomes and Inclusion) and K Buckle (Democratic Services Officer).

Also in Attendance:

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

44 Apologies for Absence

Apologies for absence from the meeting were submitted on behalf of Councillor P Bradley, Mr S Dixon and Mr B Roe.

45. Minutes

Mrs L Maskell (Primary School Head Teacher Representative) raised an issue in relation to the increase in Pupil Premium Minute No. 40 – Early Years Single Funding Formula and Early Years Inclusion Funding Arrangements and Proposed Changes for 2022/23, as to whether the increase should read £3.42 per child. The Senior Principal Accountant confirmed that she would clarify the narrative.

Resolved

That subject to clarification in relation to the rise in Pupil Premium per child, the minutes of the meeting held on 1st March 2022, be approved as a correct record.

46. Matters Arising from the Minutes

No issues were raised under this agenda item.

47. <u>Head Teachers Consultative Forum – Budget Working Group (HTCF-BWG) Verbal</u> <u>Feedback</u>

Mrs V Howard (Secondary School Head Teacher representative) provided feedback from the discussions held at the previous HTCF-BWG meeting, advising that an update on education had been provided to that meeting by the Head of Education Outcomes and Inclusion, who advised that there had been a spike in Covid-19 cases, that had resulted in staffing and supply teacher agency issues which were ongoing, with the Local Authority continuing to work with schools on a day by day basis in that regard.

The Health Protection Team would be back to pre-pandemic levels from 1st April 2022.

Ofsted's inspections had continued to take place in schools.

The Attendance Strategy had been developed with ongoing particular attention to those vulnerable groups of pupils from an outcomes perspective and there was a Raising Attainment Plan for the Early Years to post 16 cohort.

The Governments Levelling Up paper and Special Educational Needs and Disabilities (SEND) formal outcome review letter had both been published.

It was stated that in relation to the levelling up agenda Dudley would be an area for priority.

The SEND Lead Practitioner's Post had been advertised, in order that SEND provision could be extended in Primary Schools.

The Service Director Early Help/Schools and SEND had provided a brief overview of the Financial Management Plan at the meeting and a summary of the Dudley School provisional budget for 2020/2023. Particular detail would be presented to Members in the report on the Dedicated Schools Grant Budget Process 2022/23 during the meeting.

Arising from the information presented to the Working Group, a Member had referred to the significant expenditure on alternative provision for secondary aged pupils, and suggested that savings could be achieved through early intervention and prevention which could significantly improve the life chances of the pupils in Dudley.

An overview for the projected outturn for the Designated Schools Grant (DSG) had been received and it was noted that pressures on Education Health Care Plans continued with the central retained budget having a deficit of £18.4m and the Early Years Block a deficit of £19.3m that had been reduced to £18.2m, however the final figures were awaited.

An update on a summary of changes to Schools and Early Years Finance were provided to the Working Group.

Data on pupils who were eligible for free school meals would be taken from the most recent October census rather than from the preceding January census. Finally, it was confirmed that due to the cancellation of assessments in Summer 2021 due to Covid-19, local authorities would utilise 2019 assessment data for both 2020 and 2021 reception and year 6 cohorts.

The Head of Education Outcomes and Inclusion referred to the review that had commenced on that data, with regard to both the Sycamore and Pupil Referral Unit provision across the Borough with the recognition of the importance of early intervention work within primary school settings being critical. A meeting had taken place in relation to that review which had focused on the needs of children and young people in the Borough when Mrs V Howard (Secondary School Head Teacher representative) was present.

It was noted that there would be a phased development in relation to the future of Pupil Referral Provision moving forward with innovative work being conducted in terms of scoping provision for the future.

The Chair expressed her appreciation for the feedback from Mrs V Howard.

Resolved

That the feedback provided be noted.

48. Dedicated Schools Grant Budget Process 2022/23 – Final Update.

A report of the Director of Children's Services was submitted to provide the Forum with a final update in respect of the Dedicated Schools Grant budget planning process for 2022/23 and to carry out the annual consultation on financial issues, as required by the Schools Forum (England) (Coronavirus) (Amendment) Regulations

The Finance Manager presented the report in detail, referring to table one in the report submitted that contained details in relation to the provisional Dedicated Schools Grant (DSG) for March 2022, and the allocation between the four funding blocks. It was confirmed that there would be no request for virement between funding blocks.



It was noted that the total provisional DSG for 2022/23 was £300.153m.

The funding to support Special Educational Needs (SEN) bases was currently under review.

Funding arrangements in relation to arrangements for use of Pupil Referral Units and the education of children otherwise than at school as referred to in the report submitted was referred to.

In relation to the Early Years Funding, the Forum had received a report on 1st March 2022 regarding funding arrangements and there was no further updated information in relation to that funding.

Details of the Revenue Grants were referred to and it was noted that, the majority of the grants remained the same, however it should also be noted that the Year 7 Literacy and Numeracy Premium had ceased, and that funding would now form part of the National Funding Formula.

As far as the Finance Manager was aware the PE and Sports Grant would continue, however the Department for Education (DfE) had not confirmed that the primary PE and sport premium would continue in the 2022/23 academic year.

The Universal Infant Free School Meal Grant would continue, however updated funding value figures were not available at the time of reporting. There were also a range of Coronavirus Grants some of which were continuing and some of which were not. Details of those Grants were contained in the report submitted.

The Chancellors Spring Statement had confirmed that a Household Support Grant would continue during 2022/23, however the criteria to be applied or allocation was to be determined.

The DfE had announced a 1.2 billion national supplementary grant to support schools in 2022/23 in relation to the impact of the Health and Social Care Levy and other cost pressures, providing schools with additional resources to raise attainment, covering the increase in teachers' pay and continuing to rise to the challenges of the Covid response and recovery. Details of specific funding available was contained in the report submitted.

In relation to Capital Grants, the Devolved Formula Capital Grant remained the same in principle.

Updated details in relation to the Basic Needs Grant, the School Building Conditions Allowance and the SEND Capital Grant were also referred to, as contained in the report submitted.

Resolved

That the updated information in respect of the Dedicated Schools Grant, the annual consultation on financial issues for the 2022/23 financial year, and that



49. Dedicated Schools Grant Projected Outturn Update 2021/22

A report of the Director of Children's Services was submitted on the latest financial forecast in respect of the Schools Budget for the 2021/22 financial year ending 31st March 2022.

The Senior Principal Accountant presented the report submitted stating that the DSG was £287.716m which included Academy transfers of £126.525m for 43 Dudley Academy schools.

Following the production of the outturn position in January 2022, an updated allocation for Early Years had been received, that had produced an overall reduction of £1.1m and the contingency that was set aside within the Early Years Block would reduce the impact of that reduction, however that reduction would depend on the final allocation that would be received in July 2022.

Appendix B referred to the DSG forecast outturn by funding block as at 31st January 2022 and referred to the in-year deficit of £7.2m together with the accumulative overall deficit of £18.4m. The deficit comprised of the overspend of £7.7m on the High Needs Block of which £6.3m was due to the ongoing Education Health Care Plans pressures and the £1.4m unmet savings targets. However, the figures assumed that £2.8m savings were achievable in year with £2.5m of those savings targets already achieved to date

The Early Years Block reflected a saving of £455,000, however that did not include the impact of redundancies associated with the Early Years Integrated Service and in view of the reduced allocation there was a risk associated with that in year saving.

In relation to the Central School Services Block there was an over-spend of £24,000 in year, primarily due to Covid related pressures, but that had been mainly offset due to savings identified from Independent Non-Special Educational Needs placements. Year- end figures would be presented to the meeting of the Forum in January 2023 and would also be included in the Education and Skills Funding Agency Management Plan that would also be presented to that meeting.

Appendix C reflected a brought forward balance of £627,000 of the Schools Specific Contingency Reserve with a forecast carry forward of £853,000.

A report will be presented and discussed at the meeting of the Forum in June 2022 regarding the future use of that reserve.

Resolved

(1) That the 2021/22 forecast outturn position as at 31st January 2022 in respect of the centrally retained areas of the Schools Budget which was funded by the



Dedicated Schools Grant, be noted.

(2) That the Director of Children's Services be requested to present a report to the meeting of the Forum in June 2022 on the Schools Specific Contingency Reserve.

50. School and Early Years Finance (England) Regulations 2022

Members considered a report of the Director of Children's Services in respect of the latest amendments to the School and Early Years Finance (England) Regulations 2022 as advised by Central Government.

In presenting the report submitted, the Senior Principal Accountant outlined the proposed changes. It was reported that all Local Authorities had been provided with the power to fund all school improvement activities, including their core school improvement activities via de-delegation of funds from school budget shares, with the agreement of Schools Forum.

For the following financial year 2023/24 a reserve request had been made for the General Fund to supplement the 50% reduction in the School Improvement Monitoring and Brokerage Fund.

It was noted from 2022/23, data on pupils who were eligible for free school meals would be taken from the most recent October census rather than from the preceding January census and low prior attainment data would remain based on 2019 assessments data. The Senior Principal Account also confirmed that the Education Skills Funding Agency (ESFA) had confirmed that the approach to be taken for the 2023/24 financial year would remain the same, due to the timing of assessments.

Resolved

That the amendments to the School and Early Years Finance (England) Regulations 2022 effective from 4th February 2022 relating to the financial years 2022/23 only, be noted.

51. Director of Children's Services - Verbal Update

The Director of Children's Services referred to the Ofsted and Care Quality Commission (CQC) Inspections of local areas of SEND Services in 2019 when it had been determined that there were 14 areas of significant weakness. Ofsted and the CQC had re-visited the area to examine progress against the Directorate's Written Statement of Action.



The re-visit had taken place from 31st January to 3rd February 2022, with the formal outcome letter being published on 23rd March 2022. It was stated that all schools and educational settings had received the formal letter which was also available on the Council's website.

In summary the Director of Children's Services reported that the Inspectors determined that the local area had made sufficient progress in 8 out of the 14 areas and there were 6 areas where sufficient progress had not been made, with further work being required.

The Directorate had been provided with five weeks to produce an accelerated progress plan for submission to the DfE and it was hoped that the plan would be approved.

The Plan would set out reasons why sufficient progress had not been made in those 6 areas referred to and the work to address those areas including some key performance indicators that the DfE would continue to monitor.

The existing Governance and oversight would continue in relation to the SEND service with the SEND Oversight Group continuing to oversee the work and ensure that outcomes were being improved for children and young people with SEND.

At a national level two significant publications had been published during the current week, with a White Paper being published by the DfE that was part of the Governments Levelling Up approach based on a long-term vision for education in the Country which contained four pillars within the plan as follows: -

- An excellent teacher for revery child
- High standards of curriculum behaviour and attendance
- · Targeted support for every child who needs it and
- A stronger and fairer school system.

The Head of Education Outcomes and Inclusion had forwarded the White Paper to all Head Teachers, and he would report on the further detail at the Head Teachers meeting the following week.

That morning the Government had published a SEND Alternative Provision Green Paper that appraised more inclusive SEND and Alternative Provision Systems, as a single national system that would alleviate the post code lottery system that parents often experienced and provided excellent provision from Early Years through to adulthood, providing a reformed and integrated role for Alternative Provision with clear systems and roles for funding and accountability which would deliver change for children and families.

The Consultation in relation to the Green Paper would end on 1st July 2022, providing opportunity to respond to the proposals.

The meeting ended at 6.26pm

CHAIR



Dudley Schools Forum – 21st June, 2022

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 1st May, 2022.

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 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 effective from 1st May, 2022, 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 seeking nominations for one primary school governor, one primary head teacher representative, one Academy Representative and one non-school member, the outcomes of which are detailed below:

School Member - Primary School Governor

6. Following one nomination Mr Brian Roe (Crestwood Park Primary School) will continue in post as Primary School Governor Representative for a three year term of office to 30th April 2025.

School Member – Primary Head Teacher



7. No nominations have been received and one vacant post will remain until the next election process is undertaken.

Academy Member

8. Following one nomination Miss Faye Sumner (St John Bosco Catholic MAC) has been appointed for a three year term of office to 30th April 2025.

Non School Member – Unions and Professional Associations

9. Following one nomination Ms Alice Middleton will continue in post as the Unions and Professional Associations Representative for a three year term of office to 30th April 2025.

Budget Working Group

10. This report has been considered by the Budget Working Group on 14th June, 2022.

Finance

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

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 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.
- 13. Schools Forums are regulated by the Schools Forums (England) Regulations 2012 as amended.

Risk Management

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

Equality Impact

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



Human Resources/Organisational Development

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

Commercial/Procurement

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

Council Priorities and Projects

18. 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

Report Author:

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Appendices

Appendix 1 – School Forum Membership from 1st May, 2022

momboromp Liot do de rot ma	embership List as at 1st may, 2022		Headteachers 3 year term of office						
	DUDLEY SCHOOLS FORUM CONSTITUTION	1 May 2020 to 30 April 2023	1 May 2021 to 30 April 2024		1 November 2019 to 31 October 2022	1 November 2020 to 31 October 2023	1 November 2021 to 31 October 2024		
SCHOOL MEMBERS									
Nursery School Headteachers	One nursery headteacher								
Netherton Park Nursery	Miss Alison Ward, Netherton Park Nursery School, Netherton, Dudley DY2 9QF				\checkmark				
Primary School Headteachers	Four primary school headteachers from any of the five townships								
Brierley Hill	Ms Lisa Maskell, Dawley Brook Primary School, Dubarry Avenue, Valley Fields, Kingswinford, West Midlands, DY6 9BP				V				
Halesowen	Mrs Christine Finnegan, Our Lady and St Kenelm RC Primary School, 2 Bundle Hill, Halesowen, B63 4AR						\checkmark		
North Dudley	Vacancy				\checkmark				
Stourbridge	Mrs Angela Hannaway , Headteacher, Gigmill Primary, The Broadway, Norton, DY8 3HL.					V			
Primary School Governors	Four primary school governors from any of the five townships								
Brierley Hill	Mr Brian Roe, Crestwood Park Primary School, Lapwood Avenue, Crestwood Park Estate, Kingswinford, DY6 8RP.			V					
Dudley	Mrs Aimee Clarke, Straits Primary School, Longfellow Road, Lower Gornal, Dudley, DY3 3EE		V						
Stourbridge	Mrs Jill Belcher, Peters Hill Primary School, Peters Hill Road, Amblecote, Brierley Hill, West Midlands, DY5 2QH	√							
Brierley Hill	Mrs Jane Morgan, Dawley Brook Primary School, Dubarry Avenue, Valley Fields, Kingswinford, West Midlands, DY6 9BP		V						
Secondary School Headteachers	One secondary school headteacher from any of the five townships								
North Dudley	Mr Stephen Dixon, Headteacher, The Dormston School, Mill Bank, Sedgley, DY3 1SN				\checkmark				
Secondary School Governors	One secondary school governor from any of the five townships								
Brierley Hill	Mrs Susan Watson, Summerhill School, Lodge Lane, Kingswinford, West Midlands, DY6 9XE	√							
Special School Headteacher	One special school headteacher for all townships								
All townships	Miss Jodie Colbourne, Headteacher, Old Park School, Thorns Road, Brierley Hill, DY5 2JY						\checkmark		
Special School Governor	One special school governor for all townships								
All townships	Mr Paul Leyshon - Pensmeadow & Rosewood School		$\sqrt{}$						
ACADEMY MEMBER									
1 Representative	Mr Christoper Finnerty (DRB Ignite Multi-Academy Trust)	√							

	DUDLEY SCHOOLS FORUM CONSTITUTION	1 May 2020 to 30 April 2023		1 May 2022 to 30 April 2025	1 November 2019 to 31 October 2022	1 November 2020 to 31 October 2023	1 November 2021 to 31 October 2024
1 Representative	Ms Jo Higgins, Chief Executive (Dudley Academy Trust)	√					
1 Representative	Mr Kevin Tranter, Chief Operating Officer (Dudley Academy Trust)	√					
1 Representative	Miss Faye Sumner, Senior Operations Manager (St John Bosco Catholic MAC)			V			
1 Representative	Mrs Rebecca Cox, Headteacher, Lutley Primary School (Hales Valley Academy Trust)	√					
1 Representative	Mr Matthew Mynott, Headteacher, Leasowes Secondary School (Invictus Edcucation Trust)	√					
1 Representative	Mr Manny Kelay, Headteacher, Thorns Collegiate Academy (Shirelands Collegiate Trust)		V				
1 Representative	Mr David Mcnaney, Chair of Interim Executive Board, Northfield Road Primary School (Stour Vale Academy Trust)		V				
1 Representative	Mr Tom Macdonald, Headteacher, Kingswinford Academy (Windsor Academy Trust)		V				
1 Representative	Mr Mark Moody (Windsor Academy Trust)	V					
Pupil Referral Units							
All PRUs	Mrs Victoria Howard, Headteacher, Cherry Tree Learning Centre (PRU)						√
NON SCHOOL MEMBERS	Representatives from Bodies Approved By Schools Forum						
Unions and Professional Associations, nominated by the staff side of the Directorate Joint Consultative Committee	Ms Alice Middleton, Dudley Branch Secretary (National Assocation of Head Teachers (NAHT))			V			
Worcester Diocesan Board of Education, nominated by the Board	Mr Tim Reid, Diocesan Deputy Director of Education		V				
Early Years Provider Reference Group, nominated by the Group	Mrs Elaine O'Brien, Childminder.		V				
Dudley 16-19 FE Providers	Mr Andy Dobson, Principal and CEO, Halesowen College	√					



<u>Dudley Schools Forum – 21st June, 2022</u>

Report of the Director of Children's Services

<u>Schools Forum Proposed Meetings and Forward Plan for the 2022/23 Academic Year</u>

<u>Purpose</u>

1. To provide Schools Forum with a schedule of proposed meeting dates and Forward Plan for the 2022/23 academic year.

Schools Forum Role and Responsibilities

2. The current Schools Forums (England) Regulations 2012 state that a Schools Forum must meet at least four times a year and are quorate if at least two fifths of the total appointed membership is present at a meeting.

Recommendation

3. Schools Forum to consider the schedule of meetings proposed for 2022/23 academic year in Table 1 together with the proposed Forward Plan attached at Appendix A and to advise the Director of Children's Services if any variations are required.

Background

- 4. The June meeting is the last scheduled meeting of the Forum for the 2021/22 academic year.
- 5. Whilst the Schools Forum Regulations state that a Schools Forum must meet at least four times a year, the Dudley Schools Forum normally meets six times a year and more frequently if there are strategic funding decisions to be made.
- 6. In March, 2021, the Education and Skills Funding Agency (ESFA) advised that The School and Early Years Finance (England) Regulations 2021 had amended The Schools Forums (England) (Coronavirus) (Amendment) Regulations 2020 to make permanent provisions to enable Schools Forum meetings to be held remotely. This includes (but is not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming.
- 7. At the Schools Forum meeting held on 30th March, 2021, representatives were asked to consider future arrangements, and following discussion it was suggested that future



meetings be held remotely with the option of a physical meeting if deemed necessary by the Forum or the Local Authority.

- 8. Following approval at a previous meeting, the proposed meetings will commence at 6pm as outlined in Table 1 below.
- 9. Table 1 Proposed Schools Forum Meetings for 2022/23 Academic Year

Schools Forum Meeting	Venue
4 October 2022	Microsoft Teams
15 November 2022	Microsoft Teams
24 January 2023	Microsoft Teams
28 th February 2023	Microsoft Teams
28 March 2023	Microsoft Teams
20 June 2023	Microsoft Teams

10. Appendix A includes details of the proposed Forward Plan agenda items at this time, together with meeting dates for Head Teachers Consultative Forum – Budget Working Group for the 2022/23 academic year.

Schools Forum Training

11. A workshop to provide Schools Forum training will be arranged for September 2022 to provide further information regarding the roles and responsibilities of Schools Forum along with an update on latest information released from the Department for Education. Invitations will be issued to all members.

Budget Working Group

12. This report will be considered by the Budget Working Group on 14th June, 2022.

Finance

- 13. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2018.
- 14. From 1 April 2006, the Schools Budget has been funded by a direct grant: Dedicated School Grant (DSG).

Law

- 15. 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.
- 16. Schools Forums are regulated by the Schools Forums (England) Regulations 2012 as amended.



Risk Management

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

Equality Impact

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

Human Resources/Organisational Development

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

Commercial/Procurement

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

Council Priorities and Projects

21. 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.

Commission Sch

Catherine Driscoll Director of Children's Services

Report Author:

Karen Taylor

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Appendices

Appendix 1 – Proposed Meetings and Forward Plan for the 2021/22 Academic Year



APPENDIX A

DRAFT SCHOOLS FORUM MEETING SCHEDULE 2022/23

Schools Forum Meeting 2022/23	Proposed Agenda Items	Venue	Time
Tuesday 4 October 2022	 Election of Chair for the 2022/23 Academic Year Appointment of Vice-Chair for the 2022/23 Academic Year Head Teachers Consultative Forum – Budget Working Group Verbal Feedback Schools Forum Membership Update Growth Fund Methodology 2023/24 Traded Union Duties Directorate of Children's Services Verbal Update 	Microsoft Teams	6pm
Tuesday 15 November 2022	 Head Teachers Consultative Forum – Budget Working Group Verbal Feedback Schools Forum Membership Dedicated Schools Grant Projected Outturn Update 2023/24 Dedicated Schools Grant – School Specific Contingency Reserves 2022/23 De-delegated Service Options for 2023/24 Dudley's Scheme for Financing Schools – Consultation Outcomes Education Skills and Funding Agency Management Plan Update Directorate of Children's Services Verbal Update 	Microsoft Teams	6pm
Tuesday 24 January 2023	 Head Teachers Consultative Forum – Budget Working Group Verbal Feedback Schools Forum Membership update (if required) Dedicated School Grant Budget Process 2023/24 Pupil Growth Fund 2022/23 and 2023/24 Directorate of Children's Services Verbal Update 	Microsoft Teams	6pm

APPENDIX A

DRAFT SCHOOLS FORUM MEETING SCHEDULE 2022/23 ACADEMIC YEAR

			
Tuesday 28 th February 2023	 Head Teachers Consultative Forum – Budget Working Group Verbal Feedback Schools Forum Membership Update – Spring Elections Process Early Years Single Funding Formula and Early Years Inclusion Funding Arrangements and Proposed Changes for 2023/24 Dedicated Schools Grant Stage 2 Budget Planning – Centrally Retained Service Approvals 2023/24 Education Skills and Funding Agency Management Plan Update Directorate of Children's Services Verbal Update 	Microsoft Teams	6pm
Tuesday 28 March 2023	 Head Teachers Consultative Forum – Budget Working Group Verbal Feedback Schools Forum Membership – Spring Elections Verbal Update Dedicated Schools Grant Budget Process 2023/24 – Final Update Dedicated Schools Grant Projected Outturn Update 2022/23 School and Early Years Finance (England) Regulations 2023 Directorate of Children's Services Verbal Update 	Microsoft Teams	6pm
Tuesday 20 June 2023	 Head Teachers Consultative Forum – Budget Working Group Verbal Feedback Schools Forum Membership Spring Elections Results Proposed agenda and meeting schedule date 2023/24 Academic Year Combined Services outturn 2022/23 Dedicated Schools Grant outturn 2022/23 to include school reserves and licensed deficits Dedicated Schools Grant – School Specific Contingency Reserves 2022/23 and 2023/24 Education Skills and Funding Agency Management Plan Update Directorate of Childrens Services Verbal Update 	Microsoft Teams	6pm

APPENDIX A

SCHOOLS FORUM MEETING SCHEDULE 2022/23 ACADEMIC YEAR

HTCF-BWG MEETING SCHEDULE 2022/23 ACADEMIC YEAR

HTCF-BWG Meeting (Representative Head teachers)	Time	Venue
27 th September 2022	8.30am – 10.30am	Microsoft Teams
8 th November 2022	8.30am – 10.30am	Microsoft Teams
17 th January 2023	8.30am – 10.30am	Microsoft Teams
14 th February 2023	8.30am – 10.30am	Microsoft Teams
21 st March 2023	8.30am – 10.30am	Microsoft Teams
13 th June 2023	8.30am – 10.30am	Microsoft Teams



Dudley Schools Forum – 21st June 2022

Report of the Director of Children's Services

Combined Services Budget Outturn 2021/22

Purpose of Report

 To provide Schools Forum with financial data and service provider information in respect of the Combined Services Budget for the 2021/22 financial year ended 31 March 2022.

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. Schools Forum to note the report in respect of the Combined Services budget outturn for 2021/22.

Background

- The Dedicated Schools Grant (DSG) funds the Schools Budget. The Schools Budget is a combination of centrally retained budgets together with the ISB (Individual Schools Budget).
- 5. The DSG is a ring-fenced grant and can only be applied to meet expenditure properly included in the Schools Budget, as defined by the School and Early Years Finance (England) Regulations 2022.
- 6. The School Funding Regulations include a provision for "Combined Budgets" under the types of funding that can be retained centrally from the DSG. Prior to 2013/14 it was conditional that the Schools Forum agreed the amounts involved and ensured that there is an educational benefit to the pupils.
- 7. From 2013/14, in line with the School Funding Reforms, any budget deductions under the Combined Budget provision must not exceed the amount deducted for the previous



funding period. This means that no new Combined Budgets can be allowed, and existing funding must be constrained in value to the budget set aside in the previous funding period.

- 8. For 2021/22 Schools Forum has exercised its authority to allocate central funds for:
 - a. Astley Burf Outdoor Activity Centre
 - b. Staying Safe on School Trips
 - c. Domestic Abuse and Referrals Team (DART) Education Liaison Post
 - d. School Safeguarding Trainer
 - e. Place Planning Support Officer
 - f. Pupil census work within the Data and Information Team
 - 9. Table 1 details the 2021/22 actual expenditure, against a budget of £205,000.

Table 1 – 2021/22 Final Outturn for the Approved Combined Budgets

Details	2021/22 DSG Outturn £	Description of Provision
Astley Burf Outdoor Activity Centre	12,000	Access to Astley Burf Activity Centre for children who are eligible for Free School Meals. During the pandemic the centre was closed due to Covid restrictions. In line with council policy all staff for the centre were retained throughout and therefore the grant has helped support staff salaries. The centre has now reopened and bookings are going well. Many schools have now started to re-book and the centre has been open and fully operational since Covid restrictions were lifted. Further commercial income streams are being considered along with an updated business plan to ensure the long term viability of the centre moving forward. As usage improves, the reliance on this funding should hopefully diminish.
Staying Safe on School Trips	33,000	This service is now in the process of being moved into Education Outcomes to provide a far more closer aligned process and support mechanism for all schools. These funds provide the framework for the risk assessment of offsite educational visits for Dudley children and young people. The continuing costs to host the website, and the maintenance of the on-line system used for reporting and recording the visits are also supported from these funds,



		as well as covering some administration costs to support the system and offer support, advice and guidance. There are plans to move towards a far more traded model of working for schools who wish to purchase the training and external support and verification of trips and visits.
Domestic Abuse and Referrals Team (DART) – Education Liaison Post		Funding of an Education Liaison Officer to support schools with their safeguarding remit, including the following duties: • Good understand of the role of DSL and safeguarding/CP within schools and EY settings • Attendance at DART meetings daily and action any tasks to update schools/Early Years setting • Operation Encompass – daily admin, contact Schools & Early Years with notifications and liaise with DSLs to discuss pastoral support with child/YP • Complete MASH checks with Schools/Early Years settings/CME team/EHE & GRT/Education Admissions (Synergy/Tribal) • Engage with schools/Early Years settings and support with threshold pathway and referral process • Collate and present accurate data from DART/Op Encompass/MARAC referrals, themes trends, etc. to SERG and DSL Forum and DSPP
School Safeguarding Trainer	42,000	Funding covers part of salary of a School Safeguarding Trainer to deliver training to Senior Leaders and Governors in schools. The post delivers the following: • Research and Development • Training Delivery • Admin duties Independent providers have been asked to contribute towards the cost of this service during the current financial year and moving forward, all schools will be asked to make a contribution towards the training elements of the SiE team
Place Planning Support Officer	40,000	The funding continues to support the Place Planning Support officer post with much needed resilience within the team, providing critical support for this function. This involves improving and updating the pupil forecasting model on an annual basis which in turn links directly to the local authority mandatory DfE School Capacity Return and informs the Basic Need Capital Allocation. The post also



Pupil Census staffing support	34,000	enables the team to provide IMD deprivation data profiles to all schools derived from School Census returns. The funding has been used for staffing to support the School Census, Early Years Census, Alternative Provision Census and Consistent Financial Reporting (CFR) statutory data collections. This has enabled more detailed work to be performed to investigate the eligibility and therefore maximise the Pupil Premium funding for schools, in particular working with the Free School Meals team to highlight where pupils had been authorised to receive a free school meal but not included as such on their School Census return. Schools could have lost out on significant
Total	205,000	funding if not included

Budget Working Group Discussed

10. Yes - 14 June 2022.

Finance

11. From 1 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) (No.2) Regulations 2022.

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.

Council Priorities and Projects

18. The 2019/2022 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 Director of Children's Services

Report Author:

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Dudley Schools Forum – 21st June 2022

Report of the Director of Children's Services

Dedicated Schools Grant Outturn and School Reserves 2021/22

Purpose of Report

 To provide Schools Forum with financial data in respect of the Schools Budget funded by the Dedicated Schools Grant (DSG) for the 2021/21 financial year ended 31 March 2022.

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. To note the 2021/22 DSG Outturn and DSG Accumulated Reserve which are detailed at Appendix A and Appendix B of this report.
- 4. Schools Forum to note the 2021/22 financial outturn in respect of the reserves for Dudley maintained schools.

Background

- 5. The Dedicated Schools Grant (DSG) is a DfE ring fenced grant which funds the Schools Budget. The Schools Budget is a combination of centrally retained budgets from the Central School Services Block, Early Years Block and High Needs Block of the DSG 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 2022.



- 7. At 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 form.
- 8. The annual audit in respect of 2021/22 will commence in July 2022.

DSG Outturn for 2021/22

- 9. For the 2021/22 financial year the DSG was £286.580m. Of this allocation £126.525m was payable by the Education and Skills Funding Agency directly to Dudley's 43 Academy Schools giving Dudley a net DSG of £160.055m.
- 10. From December 2019 Cherry Tree Home & Hospital provision converted to academy status, place funding for 76 places is recouped directly from High Needs Block, with Hospital Expenditure commissioned directly by the Local Authority and paid monthly.
- 11. Dudley's net DSG of £160.055m was allocated:
 - a. Centrally retained budget areas £40.377m, assuming an in year deficit of £5.691m would be carried forward via the DSG Adjustment Account.
 - b. De delegated budget of £0.258m
 - c. Maintained School's delegated budgets and funding for the early years provision, in both the maintained and independent sector of £125.111m.
- 12. For the purposes of declaring the DSG outturn, the amount of 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. School reserves will be reported as a separate agenda item to this meeting.
- 13. For 2021/22 the DSG cumulative deficit of £18.134m will be held in the DSG Adjustment Account, this includes the deficit brought forward from 2020/21 of £11.151m. The deficit will need to be resolved in future years as part of the High Needs strategic recovery plan. Full details of reserve transactions are reported in Appendix B of this report.
- 14. The School Specific Contingency reserve remains ring fenced as at 31 March 2022, the reserve closed with a surplus balance of £0.915m. Table 1 below summarises the reserve position at year end.



Table 1 – Central DSG Reserve Summary

	Central DSG Reserve £ m	School Specific Contingency Reserve £m	Total Reserve £m
Cumulative roll forward DSG reserve Available at 1/4/2021	(11.151)	0.627	(10.524)
Less net expenditure in 2021/22 (details Appendix B)	(6.983)	0.288	(6.695)
Accumulated carry forward balance to 2022/23	(18.134)	0.915	(17.219)

<u>Dedicated Schools Grant Conditions of Grant and the DfE</u>

- 15. To compile the DfE annual school reserves and Dedicated Schools Grant assurance testing data the DfE request information from Local Authorities in relation to the deployment of the Dedicated Schools Grant (DSG) for the Outturn to be signed off by the Chief Finance Officer usually during July in respect of the preceding financial year.
- 16. Under Schedule 2 of the School and Early Years Finance (England) Regulations 2022, local authorities are required to carry forward overspends to their school's budget either in the immediately following year or the year after. They can apply to the Secretary of State to disregard this requirement. In the case of the Secretary of State giving such permission, this may be for all or part of the sum requested by a local authority, and permission may be given subject to conditions.
- 17. The impact of these statutory provisions will be that a Local Authority with a DSG deficit from the previous year must either:
 - carry the whole of the deficit forward to be dealt with in the school's budget for the new financial year,
 - carry part of it forward into the new financial year and the rest of it into the following financial year,
 - · carry all of it into the following financial year,
 - apply to the Secretary of State for authorisation to disregard the requirements in Schedule 2 relating to deficits if it wishes to fund any part of the deficit from a source other than the DSG.
- 18. A deficit must be carried forward to be dealt with from future DSG income, unless the Secretary of State authorises the LA not to do this.



Further conditions relating to DSG overspends and deficits

- 19. Any Local Authority that has an overall deficit on its DSG account at the end of the 2021 to 2022 financial year, or whose DSG surplus has substantially reduced during the year, must co-operate with the Department for Education (DfE) in handling that situation. In particular, the Local Authority must:
 - 1. Provide information as and when requested by the Department about its plans for managing its DSG account in the 2022/23 financial year, and subsequently,
 - 2. Provide information as and when requested by the Department about pressures and potential savings on its high needs budget,
 - 3. Meet with officials of the Department as and when they request to discuss the Local Authority's plans and financial situation,
 - 4. Keep the Schools Forum regularly updated about the Local Authority's DSG account and plans for handling it, including high needs pressures and potential savings.
- 20. The Secretary of State reserves the right to impose more specific conditions of grant on individual local authorities that have an overall deficit on their DSG account, where he believes that they are not taking sufficient action to address the situation.
- 21. The Department have now issued a final version of the management plan template, which the Local Authority will complete on a termly basis and present to Schools Forum.

Individual Schools Budgets - DSG Expenditure

22. Table 2 summarises the schools' opening reserves of £10.584m at 1 April 2021 and the movement to the closing position of £10.164m at 31 March 2022.

<u>Table 2 – School Reserve Balances from Delegated Budgets</u>

Reserve Type	2021/22 Opening Balance	Adj. for Academies	Net addition to / (Use of) Reserves	2021/22 Closing Balance
	£m	£m	£m	£m
Specific Contingency	6.300	(0.017)	0.387	6.670
Covid Catch Up Grant	0.477	0	(0.203)	0.274
Boarding Capital Projects	1.625	0	(0.066)	1.559
LA Capital Projects	2.181	0	(0.393)	1.788



Approved Capital Loans	(0.061)	0	0.015	(0.046)
Approved Licensed Deficits	0	0	0	0
Reserves to Balance Budget/ Deficit Budgets	0.062	0	(0.143)	(0.081)
Badgot Bonok Badgoto	10.584	(0.017)	(0.403)	10.164

23. Table 3 provides further detail of the movement in school reserves.

Table 3 – Movement in School Reserves

	£m
Opening balances at 1/4/2021	10.584
Reserves utilised by maintained schools during 2021/22	(3.524)
Additions to Reserves during 2021/22	0.519
In year surplus balances for schools at 31 March 2022 (added to reserves)	2.458
Covid catch up grant reserve	0.132
In year deficits for schools	(0.020)
Loan repayments	0.015
Closing balance at 31/03/2022	10.164

24. The reserves in Table 4 relate to activities such as before and after school clubs, extended school arrangements, cluster arrangements, adult education and leisure activities.

Table 4 – School Trading Accounts Reserve Balances

Reserve Type	2020/21 Opening Balance	Adj. for Academies	Net Increase in Reserves	2020/21 Closing Balance
	£m	£m	£m	£m
School Trading Accounts	1.801	(0.012)	0.208	1.997

25. The LMS Scheme for Financing Schools provides detail of the Local Authority Balance Control Mechanism (BCM) which gives the Director of Children's Services authority to remove balances in excess of 8% of School Budget Share (primary and special



schools) and 5% of School Budget Share (secondary schools). For those schools that set aside reserves to balance the following year's budget, but subsequently don't require some or all the amount set aside, the Director of Children's Services may claw back the excess amount.

- 26. At 31 March 2022 eight schools held balances greater than those permitted within the Balance Control Mechanism. The value for one school was less than £200, and it was decided that this would not be considered for clawback. The other seven schools were asked to provide reasons for the excess reserves and why they should be retained by the school. The value of these reserves is £0.198m. It has been determined by the Director of Children's Services and the Service Director for Early Help, Schools & SEND that these surplus reserves will not be removed from the schools and retained centrally. However, where schools are utilising any excess balances to subsidise capital projects then these must be completed before 31 March 2023.
- 27. One school set aside reserves to balance their 2021/22 budget. The value of these reserves is £0.008m. It has been determined by the Director of Children's Services and the Service Director for Early Help, Schools & SEND that these surplus reserves will not be removed from the schools and retained centrally. However, where schools are utilising any excess balances to subsidise capital projects then these must be completed before 31 March 2023.
- 28. At 31 March 2022 three schools ended the year with financial deficits. All schools had previously notified the Local Authority of their financial position. The relevant schools have been contacted in order to provide details of the respective financial plans to recover deficits which will be deducted from the 2022/23 school budget in the first instance. The Local Authority is working with these schools to balance its budget in 2022/23.
- 29. During 2021/22 no schools operated with a Licensed Deficit.

Budget Working Group Discussed

30. Yes - 14 June 2022.

Finance

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

<u>Law</u>

32. 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 2022, 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.

33. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2022.

Risk Management

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

Equality Impact

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

Human Resources/Organisational Development

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

Commercial/Procurement

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

Council Priorities and Projects

38. The 2019/2022 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.

Comments CM

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Background Papers

Appendix A – Dedicated Schools Grant Outturn Statement 2021/22 – as at 31 March 2022.

Appendix B – Dedicated Schools Grant Accumulated Reserve – as at 31 March 2022.



Directorate of Children's Services DSG Budgets	2021/22 DSG Latest Budget	2021/22 DSG Forecast Outturn	2021/22 Variance () = under spend	Comments
_	£m	£m	£m	
Individual Schools Budget (ISB)	125.111	125.111	0*	*Schools can roll-forward any under spend
Post 16 pupils - 6 th Form Funding	1.026	1.026	0	(Nursery, Primary, Secondary & Special) Dudley 6 th form school - OSH
De- Delegated Budgets	0.258	0.214	(0.044)	Staffing savings
Centrally Retained Budgets	40.377	41.713	1.336	Significant pressures resulting from increased demand of Education Health and Care Plans. Includes savings from Early Years Block and Central School Services Block.
Education Funding Agency (ESFA) 6 th form grant	(1.026)	(1.026)	0	Oldswinford Hospital School
Use of DSG Reserve	(5.691)	11.151	16.842	Budgeted deficit of £5.691m for 2021/22 and B/fwd deficit position of £11.151m on Central DSG reserve for prior years.
Total DSG payable to Dudley 2020/21	160.055	178.189	18.134	
Academy Schools Funding paid to School via ESFA	126.525	126.525	0	Allocated to Academy School directly via the Education & Skills Funding Agency 43 schools at 31 March 2022
Total DSG 2020/21	286.580	304.714	18.134	



Centrally Retained Dedicated Schools Grant Reserve Expenditure

Reserve Category	Opening Balance as at	Additions to Reserves in	Use in Year	Net Use of Reserves	Closing Balance as at	
	01/04/21	Year		110001100	31/03/22	
	£m	£m	£m	£m	£m	
Central DSG Reserve						
High Needs Block	(13.609)		(7.099)	(7.099)	(20.708)	
Early Years Block	1.965	0.074		0.074	2.039	
Central School Services Block	0.493	0.042		0.042	0.535	
Total Central DSG Reserve	(11.151)	0.116	(7.099)	(6.983)	(18.134)	
School Specific Contingency	0.627					
Rates Adjustments			(0.056)	(0.056)		
Professional Development Programme Grant – ring fenced		0.042		0.042		
Schools income – ring fenced		0.029	(0.011)	0.018		
De delegations – Union Duties (Ring fenced)		0.044		0.044		
Transfer to reserves – Growth Fund		0.240		0.240		
Total School Specific Contingency Reserve	0.627	0.355	(0.067)	0.288	0.915	
Total DSG Reserve	(10.524)	0.471	(7.166)	(6.695)	(17.219)	





<u>Dudley Schools Forum – 21st June 2022</u>

Report of the Director of Children's Services

Update on the use of the School Specific Contingency Reserve

Purpose of Report

1. To provide Schools Forum with the latest financial forecast in respect of plans to spend the School Specific Reserves Expenditure (£511K) for 2022/23 and beyond.

Schools Forum Role and Responsibilities

2. 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

3. To receive this report and seek views of Schools Forum on the outlined expenditure for the Schools Specific Contingency Reserve of £511k

Background

- 4. A report on the Schools Specific Contingency Reserve was presented at the meeting of Schools Forum on 22 June 2021. It was agreed that a detailed report be presented to a future Schools Forum meeting regarding the plans to spend the reserve of £511k for providing support to schools for the implementation of the SEND Strategy. This was presented in November 2021 with the proviso of a further working group with LA Officers and Headteachers to develop plans and proposals.
- 5. Dudley is a diverse Local Authority that needs a range of provision, intervention and resource allocation based on the needs of differing localities to provide effective education to its school population. To meet the needs of the individuals and to ensure equality of opportunity, Dudley values SEND as an intrinsic part of its school improvement partnership.
- We are creating a School Specific Workforce Development Model based on the SEND Green Paper, recognising that schools are stronger together when they can better understand their context and therefore their priorities. It also places resource



- and need at grassroots level which will have maximum impact on the lives of our young people and their families.
- 7. The model is focused on improving outcomes for all our children but particularly those who have SEND within our mainstream schools. It recognises work is needed to ensure that systems and processes are in place to improve meeting needs for our SEND children within all our mainstream schools. This model will also provide strategies to prevent exclusions in particular our SEND children.
- 8. Dudley (Education Outcomes) is currently reorganising its School Improvement Team to include new provision for SEND at both a strategic and local level. This is to promote more integrated working between all services and schools/ educational settings. It is also seeking to support school locality working by building on the existing 'township' model and the corresponding primary and secondary networks.

9. DUDLEY SEND LEAD PRACTITIONER SPECIFIC PRIORITIES:

- I. Providing a strategic link between the Core SEND team and our schools, which impacts practice on the ground at a local level.
- II. Facilitating and empowering schools to work together collaboratively and in partnership in localities, to better meet the needs of children and young people at the universal and targeted levels of need.
- III. Recognising and valuing the participation of all schools regardless of context.
- IV. Solution building, barrier breaking, developing and improving current provision and outcomes for children and young people with SEND and their families in the locality within which they live
- V. Strengthening the system of school understanding and practice to reduce variability and to promote and ensure inclusion and equity of provision for all
- VI. Development of clear transparency, openness, trust, and empowerment
- VII. Promoting and valuing creativity, innovation and evidence based, and research led approaches relevant to the needs of schools in a given locality
- VIII. Working towards long term sustainable improvement and clear working practices alongside short-term solutions
 - IX. Maximising efficient and effective use of resources with accountability for impact on the outcomes for children and young people

10. SEND SCHOOL WORKFORCE DEVELOPMENT OBJECTIVES

 Objective 1: The needs of more children and young people with SEND and their families at the universal and targeted levels of need are met locally through increased resources, targeted provision and a more highly skilled workforce



- II. Objective 2: There is greater inclusion of children educated in their local community school and higher achievement among children and young people who have special educational needs and disabilities, through more efficient and effective use of resources and as a result of effective and innovative school partnerships using evidence-based and research led approaches and strategies
- III. Objective 3: Outcomes and engagement, including progress and attendance for vulnerable children and young people in primary and secondary schools in localities are improved and exclusions, children out of school, children and young people in segregated provision including children on home tuition and children and young people who elect to home educate are reduced
- IV. Objective 4: Improved and innovative provision for our children and young people from vulnerable groups in the locality results in improved performance, engagement, attendance and progress and reductions in exclusions, children out of school and NEET population
- V. Objective 5: Improved communication and interaction between the Core SEND team, the School Improvement Team and all internal and external Educational Outcomes teams to ensure that every child's needs are met in a nonjudgemental and inclusive way
- VI. Objective 6: A clear strategy which improves the understanding, practice and execution of SEND provision at a locality level, empowering schools to take a comprehensive lead in developing inclusive practices for all students
- 11. The project is designed to be school led, to facilitate and empower schools to work together collaboratively and in partnership, in localities. Collaborations will work to reduce variability and promote inclusion and equity of provision for children and young people at the universal and targeted levels of need in mainstream school and reduce the number of students attending Resource Bases and Special Schools whose needs could be met in mainstream with appropriate and more cost-effective support.
- 12. This money for the SEND Specific Workforce Development Model is intended to support a process of change in the whole SEND system across Dudley. It is therefore not simply targeting one specific SEND population; instead, it has been apportioned considering every mainstream state school and academy across the borough.
- 13. The SEND Specific Workforce Development Model is driven by **a SEND Lead Practitioner** who understands and co-ordinates a response between the Core SEND team and School Improvement. The post becomes the bridge between the code of practice and the day to day implementation in schools.



- 14. In supporting this role, there will be **two designated SEND Development Officers**, working with the Lead Practitioner to oversee the link between the Core SEND team and our schools.
- 15. This is a date stamped project, with the posts created initially for two years. During this time, it is envisaged that the work of the team will ensure long term viability and longevity.
- 16. The principles of the project very much support and promote the participation of all schools regardless of context and are designed to strengthen and develop effective partnership working across all types and phases of school in a school led approach. In addition, a significant resource will be expended on CPD and Workforce Development to ensure inclusive practice is developed across all schools.

17. The role of the SEND Lead Practitioner involves:

- Being the strategic lead between the Core SEND team and school improvement
- To share the project with all schools and be a point of contact for SEND development
- To set up Network / Learning communities Area Teams and coordinate across the area
- To support Learning communities and Networks in development of project proposals
- To review and agree ways of working and good practice
- To report on progress and escalate barriers half-termly
- To work in partnership with the Inclusion Team to identify those children at risk

18. The Role of the SEND Improvement Officers involves:

- Working with SEND Lead Practitioner
- Working across all schools and their SLT and SENDCos
- Co-ordinate a response to SEND issues
- Oversee specific SEND assessments as required
- Provide agreed training and support to colleagues at a local level
- Review SEND practice
- Ensure an inclusive approach for all young people
- Lead staff CPD and training to ensure workforce development



19. The project will be funded through the £511k SEND budget as follows:

Costs and Funding Plan		
Lead Practitioner (Secondment)	Equivalent to SLT AHT/AP Post	£55,000 plus on costs = £73,000 Total Cost £146,000 Two year fixed term
SEND Improvement Officer	Equivalent to current Inclusion Officer or teacher post (UPS) £42,000 plus on costs £55,000	£42,000 plus on costs = £55,000 x two posts £110,000 per year <u>Total Cost</u> £220,000 Two year fixed term
CPD Network Development SEMH, Restorative Practice, Resilience, Trauma, Restorative Practice, Code of Practice Understanding, SEND Reviews – First Allocation Total Cost		Total Cost £80,000 (Over two year period) Total Cost £466,000
Funds still be allocated		£65,000

Budget Working Group Discussed

20. Yes - 14 June 2022

Finance

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

<u>Law</u>

- 22. 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.
- 23. The funding of schools is prescribed by the Department for Education (DfE) through the School and Early Years Finance (England) Regulations 2021.



Risk Management

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

Equality Impact

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

Human Resources/Organisational Development

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

Commercial/Procurement

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

Council Priorities and Projects

28. The 2019/2022 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

Director of Children's Services

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Working as One Council in

the historic capital of the Black Country



Dudley Schools Forum - 21st June 2022

Report of the Director of Childrens Services

Education Skills and Funding Agency Management Plan Update

Purpose

1. To provide Schools Forum with update on Dudley Metropolitan Borough Council's (the Local Authority) activities and progress at a strategic level towards achieving the outcomes of the Education Skills and Funding Agency (ESFA) Management Plan/Financial Recovery Plan.

Recommendation

2. It is recommended that the Schools Forum note 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 DSG.

Background

3. In July 2021, the Department for Education and the Education Skills and Funding Agency (ESFA) published a guidance document for local authorities entitled 'Dedicated Schools Grant (DSG) Management Plan Template'.

The guidance provides a tool that has been designed and built by the ESFA to support local authorities to bring together key information to support and formulate their DSG financial planning and recovery.

The Management Plan is designed as a tool to help authorities align key improvement activity to help understanding financial recovery impact as well as to support and provide guidance on key areas of consideration.

At the Schools Forum meeting of 1st March 2022, the Local Authority presented the draft approach for using the ESFA Management Plan Template to support and guide the finance recovery plan.

The Plan includes data as well as contextual information around what is being done to support the financial recovery activity. This includes, but is not limited to:

EHCP Data current and forecasting through to 2026/27



- Financial data current and forecast through to 2026/27
- Activity being undertaken to address/mitigate financial pressures
- Comparator information across neighbours and nationally

Apart from the data around finance and number of children with SEND it provides a framework to consider areas of work around:

- Local area and governance
- Improvement workstream activity
- Stakeholders and engagement
- · Placements and commissioning
- Local authorities' specific plans for improvements operationally

Further work has been undertaken to ensure that the ESFA Management Plan and wider SEND Improvement programme align their activities to ensure that improvement activities across the services are conscious of the impact on finance, as well as to make sure that the Local Authority has a full system approach to the ESFA Management Plan rather than purely a financial recovery approach.

Progress Update

4. Following the feedback from the Written Statement of Action, Self-Evaluation exercise and wider SEND Improvement Programme work the Local Authority has taken the opportunity to ensure a single, aligned and clear improvement programme across 0-25 Education for Dudley that supports activity to deliver improvements through the ESFA Management Plan.

Whilst undertaking the development work we have also been able to use the full year finance data and greater availability of robust data to revisit the forecast and as such the ESFA Management Plan provides the mechanism to monitor the impact and position on the budgets/finance no matter what the impact, be it through increased funding, savings, efficiencies, improved performance, with the strategic focus being "Have we changed the forecast from where we are now?".

Governance schedules are now in place with the Budget Working Group being regularly updated and the Schools Forum to be updated mid-year and following year end as previously agreed.

Attached as Appendix 1 is the Executive Summary from the ESFA Management Plan. The full plan will be published on the local offer by the end of the summer term.

Finance

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



Law

6. Dudley Metropolitan Borough Council (the Local Authority) has a statutory duty to consult with and, on certain matters, obtain the approval of the Schools Forum with regards funding for schools and other educational provision. As the Management Plan Template produced by the ESFA, provides a tool for collating and presenting that information, its use enables the Local Authority to comply with this duty by supplying the Schools Forum with clear, accurate and up to date financial information.

Risk Management

7. The ESFA Management Plan is a tool to provide assurance that improvement activity being undertaken support financial recovery. The Plan does not in itself undertake any direct management of activity, instead it helps to challenge and assure, as such it is a tool to support the improvement programme and mitigate risks identified for the service area.

Equality Impact

8. The Equality Act 2010 requires that bodies treat individuals and groups that satisfy one or more 'protected characteristic', e.g. gender, race, disability, etc., fairly. Therefore, because children and young people with SEND are likely to be deemed disabled under the Act, by working to ensure that local SEND services meet the needs of such children and young people, the Local Authority is continuing to comply with the legal duties imposed by this legislation.

Human Resources/Organisational Development

9. This report has no direct implications for Human Resources or Organisational Development.

Commercial/Procurement

10. There are no procurement implications as the tool has been provided free of charge

Council Priorities and Projects

11. There is no direct impact on Council Priorities from the Management Plan, however, it does provide assurance and progress tracking of improvement activity for children and young people with SEND across Dudley.

Catherine Driscoll

Director of Children's Services

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Appendix 1 – ESFA Management Plan Executive Summary





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ummary of end of year positions									
	2018-19 £,000s	2019-20 £,000s	2020-21 £,000s					2025-26 2026 £,000s £,000	
Planned DSG position (surplus)/deficit	£1,43	9 £6,17	8 £11,151	£18,134	£23,598	£27,049	£29,385	£30,818	£31,5
	2018-19 £,000s	2019-20 £,000s	2020-21 £,000s	2021-22 £,000s		2023-24 £,000s		2025-26 2026 £,000s £,000	
In year net position deficit / (surplus) Schools block	£	10 £	0 £0	03	03	£0	£0	£0	
Central schools services block	-£103,00	0 -£326,00	0 -£64,029	-£42,000	£0	£0	£0	£0	
Early years block	-£495,00	0 -£595,00	0 -£874,358	-£74,000	£0	£0	£0	£0	
High needs block	£2,036,87	0 £5,659,96	5 £5,911,459	£7,099,306	£5,464,257	£3,450,058	£2,336,578	£1,432,666	£713,4
Total net	£1,438,87	0 £4,738,96	i5 £4,973,072	£6,983,306	£5,464,257	£3,450,058	£2,336,578	£1,432,666	£713,4
	2018-19 £,000s	2019-20 £,000s	2020-21 £,000s	2021-22 £,000s		2023-24 £,000s		2025-26 2026 £,000s £,000	
Other Council contribution(negative)	£	.0 £	:0 £0	£0	£0	£0	£0	£0	
Add brought forward deficit (surplus) (net)	£	0 £1,438,87	0 £6,177,835	£11,150,907	£18,134,213	£23,598,470	£27,048,528	£29,385,107	£30,817,7
Planned year end position	£1.438.87	0 £6.177.83	5 £11.150.907	£18.134.213	£23.598.470	£27.048.528	£29.385.107	£30.817.772	£31.531.1

Headline Mitigations/Savings

Key Mitigations/Savings	Savings forecast	Mitigations/ Savings forecast 2019-20	Mitigations/ Savings forecast 2020-21	Mitigations/ Savings forecast 2021-22	Savings forecast	Savings forecast	Savings forecast	Savings forecast	Mitigations/ Savings forecast 2026-27
Ceased or Discontinued EHCP's	2010 10	2010 20	-£233,000				-£3,120,000	-£3,900,000	-£4,550,000
2 Cessation of mainstream exceptional funding			-£489,000	-£652,000	-£948,000	-£948,000	-£948,000	-£948,000	-£948,000
3 School Reserves			-£150,000	-£150,000	-£200,000	-£200,000	£0	£0	£0
4 CCG Contribution			£0	£0	-£469,000	-£469,000	-£469,000	-£469,000	-£469,000
5 SIS Savings			-£248,000	-£319,000	-£1,000,000	-£1,000,000	-£1,000,000	-£1,000,000	-£1,000,000
6 AP Savings			-£328,000	-£323,000	£0	£0	£0	£0	£0
7 Demand Management savings			£0	-£690,000	-£1,480,756	-£2,195,000	-£3,105,244	-£3,917,488	-£4,729,732
8 Previous year saving			-£204,000	-£204,000	-£204,000	-£204,000	-£204,000	-£204,000	-£204,000
9									
10									
Balancing item to help reconcile - misc									
Total savings	£0	£	0 -£1,652,000	£2,696,000	-£5,341,756	-£7,096,000	-£8,846,244	-£10,438,488	-£11,900,732

		Pressures forecast	Pressures forecast	Pressu forecas		Pressures orecast	Pressures forecast	Pressures forecast	Pressures forecast	Pressures forecast	Pressures forecast
Г	Key Pressures	2018-19	2019-20	2020-2	1 2	021-22	2022-23	2023-24	2024-25	2025-26	2026-27
1	Forecast Growth in EHCP's			£	1,069,308	£0	£2,017,806	£1,793,605	£1,879,015	£1,968,492	£2,062,230
2	Possibles				£0	£0	£461,343	£461,343	£461,343	£461,343	£461,343
3	Planned places adjustments				£0	£412,000	£79,252	£93,272	£93,272	£93,272	£93,272
4	Additional Teachers Pay & pensions special schools				£0	£726,480	£726,480	£726,480	£726,480	£726,480	£726,480
5	Hospital Education				£0	£63,000	£223,437	£223,437	£223,437	£223,437	£223,437
6	Inflationary increase - year on year				£0	£0	£0	£152,371	£308,690	£469,055	£633,569
7	Mainstream matrix adjustment				£0	£806,000	£2,400,000	£2,400,000	£2,400,000	£2,400,000	£2,400,000
8	Covid related expenditure				£149,000	£0	£0	£0	£0	£0	£0
9	Additional Expenditure relating to increase HNB				£0	£0	£1,758,993	£1,846,943	£1,902,351	£1,959,421	£2,018,204
10	Special School Matrix additional cost				£0	£0	£479,100	£479,100	£479,100	£479,100	£479,100
1	Balancing item to help reconcile - misc										
F	Total pressures	£0	1	£0 £1,	218,308	£2,007,480	£8,146,411	£8,176,551	£8,473,688	£8,780,600	£9,097,635

	Total number	otal number of CYP supported by the high needs block (with estimated future									
	projections)										
Jan	2018	2019	2020	2021	2022	2023	2024	2025	2026		
Under 5	63	94	92	97	77	247	248	248	249		
Age 5 to 10	666	756	918	1,041	1,153	1,306	1,331	1,371	1,418		
Age 11 to 15	624	664	746	871	1,002	1,030	1,068	1,099	1,136		
Age 16 to 19	224	316	458	568	608	507	515	523	530		
Age 20 to 25	70	96	126	153	195	122	121	122	124		
Total number by Age Group	1,647	1,926	2,340	2,730	3,035	3,212	3,283	3,363	3,457		

	Normalism of CV	/D		. ()41414		41>				
Number of CYP supported by all provisions (with estimated future projections)										
Jan	2018	2019	2020	2021	2022	2023	2024	2025	2026	
Autistic Spectrum Disorder	272	298	347	372	412	530	545	563	583	
Hearing Impairment	44	48	48	61	57	66	66	66	66	
Moderate Learning Difficulty	355	369	408	476	491	638	640	641	641	
Multi- Sensory Impairment	2	3	6	7	12	15	15	15	15	
Physical Disability	110	110	111	122	129	167	168	168	168	
Profound & Multiple Learning Difficulty	27	29	31	32	29	27	27	27	27	
Social, Emotional and Mental Health	225	260	369	452	510	626	678	740	815	
Speech, Language and Communications needs	333	420	514	638	734	937	935	934	932	
Severe Learning Difficulty	115	115	116	111	112	125	125	125	125	
Specific Learning Difficulty	8	6	6	7	13	23	23	23	23	
Visual Impairment	11	12	11	15	15	25	25	25	25	
Other Difficulty/Disability	11	11	25	26	24	36	36	36	36	
SEN support but no specialist assessment of type of need	0	0	0	0	0	0	0	0	0	
Total number of EHCPs by primary need	1,513	1,681	1,992	2,319	2,538	3,215	3,283	3,363	3,457	

% i	% increase year on year for total number of CYP supported by the high											
nee	ds block	(with estimat	ed future p	rojections)	- 11							
	2019	2020	2021	2022	2023	2024	2025	2026				
	49%	-2%	5%	-21%	221%	0%	0%	0%				
	14%	21%	13%	11%	13%	2%	3%	3%				
	6%	12%	17%	15%	3%	4%	3%	3%				
	41%	45%	24%	7%	-17%	2%	1%	1%				
	37%	31%	21%	27%	-37%	-1%	1%	1%				
	21%	17%	11%	6%	2%	2%	-100%	-100%				

70	micrease ye	ai on year i	OI HUILIDEI	or or r supp	ported by ar	provisions		
(w	ith estimate	ed future pro	ojections)					
	2019	2020	2021	2022	2023	2024	2025	2026
	10%	16%	7%	11%	29%	3%	3%	4%
	9%	0%	27%	-7%	16%	0%	0%	0%
	4%	11%	17%	3%	30%	0%	0%	0%
	50%	100%	17%	71%	25%	0%	0%	0%
	0%	1%	10%	6%	29%	0%	0%	0%
	7%	7%	3%	-9%	-7%	0%	0%	0%
	16%	42%	22%	13%	23%	8%	9%	10%
	26%	22%	24%	15%	28%	0%	0%	0%
	0%	1%	-4%	1%	12%	0%	0%	0%
	-25%	0%	17%	86%	77%	1%	0%	0%
	9%	-8%	36%	0%	67%	0%	0%	0%
	0%	127%	4%	-8%	50%	0%	0%	0%
	19%	16%	9%	27%	2%	2%	-100%	-100%



Dudley Schools Forum - 21st June 2022

Report of the Director of Childrens Services

Rebuilding of Pens Meadow School

Purpose

 This report seeks the views of the Schools Forum on the proposal to support the rebuilding of Pens Meadow School through DMBC's General Fund. This proposal is a one-off approach to resolving the longstanding issues within the school's estate and does not set a precedent for future school funding.

The paper summarises the rationale for this proposal.

Recommendations

- 2. It is recommended that Schools Forum:
 - notes the current challenges with the Pens Meadow school site.
 - notes the Council's proposal to resolve the issues through allocation of revenue through the Council's General Fund as a one-off action.
 - provides feedback on the proposal to DMBC

Background

3. Pens Meadow is a split site special school. The Ridge Hill site offers 65 places for children aged 3 to 14 and 40 places for young people aged 14 to 19 at the Pensnett site. The school provides a quality education for pupils with complex needs, severe learning disabilities, including autism, and pupils with profound and multiple learning difficulties.

The school estate creates challenges to the delivery of education to pupils. The split site creates challenges in oversight; classroom provision is unsuitable for the complex needs of pupils; site access creates traffic management risks to pupils, and key provision is not available to meet pupils' needs. There has been a longstanding strategic ambition to rebuild the school on one site to respond to these challenges and ensure that modern facilities are available to pupils.



All available school capital options have been explored and it has not been possible to source the resource required.

DBMC administration are committed to rebuilding the school as one of their priorities and alternative ways of funding have been considered, leading to the current proposal

Condition of the school sites

- 4. Work has been undertaken to assess the condition of the suitability of the Pens Meadow sites in comparison with other Dudley schools. This analysis has been undertaken through assessing:
 - Suitability
 - Health and safety
 - DDA enhancement
 - Security enhancement
 - Split site
 - Suitable outdoor learning environment
 - Vehicular and pedestrian access
 - Suitable internal social space
 - Adequate internal learning spaces
 - Sustainability and energy efficiency.

Pens Meadow scored the highest of DMBC schools with a score of 101 out of 116. The second highest school scored 81. The detail is attached as an appendix. This supports the view that Pens Meadow is the top priority for redevelopment.

Options for funding

All options for funding the school rebuilding have been explored, including Department for Education capital, private donations, and various forms of borrowing. The Department for Education are not providing capital to enable the rebuilding of special schools and the routine general needs funding is not sufficient to support the project.

The only viable option to fund is to borrow the capital required and support the repayments through the Council's General Fund.

Finance

- 5. The current estimated cost for rebuilding the school is £15.6m. These costs are for a 115 place school and include allowances for:
 - · Building works
 - Loose furniture and equipment
 - Play and kitchen equipment
 - Hoists
 - Hydrotherapy pool
 - External play areas and soft landscaping
 - · Contingencies and professional fees
 - Planning, Building Control and Site Investigation.

These costs are subject to the outcome of formal procurement and completion of the specification work and there is currently significant uncertainty around construction supply chains, so costs are likely to vary.

There would be a value from release of the existing site, currently estimated at £1.7m, leaving a net capital cost of £13.9m. The indicative revenue cost to finance this loan would be £750k per year.

DBMC's administration is minded to meet this cost through the General Fund, subject to formal approval by Cabinet and Full Council. There would be no charge to the Dedicated Schools Grant and all available DfE capital to improve school facilities would be available to other borough schools and not committed to Pens Meadow.

The Council's financial position is such that there is no realistic prospect of being able to repeat this approach with any other schools. This would be a one-off decision in recognition of the specific and significant challenges faced by Pens Meadow.

Law

6. Public bodies, such as Dudley Metropolitan Borough Council (the Council), may only act in a manner that is authorised by the law & their constitution and that is reasonable in the circumstances, i.e., fair and consistent.

Therefore, when deciding whether to pursue a particular course of action the Council must be able to demonstrate its legal and constitutional authority to perform that act by collating relevant evidence, consulting with pertinent individuals & bodies and giving appropriate consideration to the action being proposed.

In this case, the Council's Constitution outlines the actions required to authorise such funding, whilst legal authority for the proposal is provided by:

 The Education Act 1996, which obliges local authorities secure sufficient school places to meet the needs of their population; and



The Localism Act 2011, which gives local authorities a general power of competence, which entitles them to act in the best interests of their residents, provided that the intended act is not prohibited by some other law.

Therefore, as this report is endeavouring to obtain the views of the Schools Forum, it demonstrates that the Council is seeking to comply these duties.

Risk Management

7. The proposal will mitigate risks for pupils inherent in the current unsuitable facilities at the school.

Equality Impact

8. The proposal to ensure that the school is suitable to meet the needs of pupils with Special Educational Needs and Disabilities will have a positive impact. There will be an additional 10 places to meet the needs of more pupils with SEND to ensure that the Council can meet its Public Sector Equality Duty.

Rebuilding the school will improve outcomes for pupils at the school.

Human Resources/Organisational Development

9. There are no Council staff implications.

Commercial/Procurement

10. All procurement regulations will be followed in the sourcing of the developers of the new school's site.

Council Priorities and Projects

11. This proposal supports the Council's SEND strategy and its Child Friendly Dudley priority.

The design of the new school would include consideration of how this could support the Council's carbon reduction strategy.

This proposal supports the Council's property management approach.

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Director of Children's Services

Commission Sch

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