

Dear Colleague

LEICESTERSHIRE SCHOOLS FORUM

I would like to invite you to a meeting of the Leicestershire Schools' Forum to be held on **Monday 6 June 2022, 2.00 pm via Teams.**

Please see below the agenda for the meeting.

Yours sincerely

Karen Brown
Clerk to the Schools Forum

AGENDA

Paper

- | | | |
|----|--|---|
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**Minutes of a meeting of the Leicestershire Schools Forum
via Teams on Wednesday 23 March 2022 at 2.00 pm**

Present

Liam Powell	Secondary Academy Headteacher
Chris Parkinson	Secondary Academy Headteacher
Kath Kelly	Secondary Academy Headteacher
Jane Lennie	Secondary Maintained Governor
Jason Brooks	Special Maintained Headteacher
Jane McKay	Primary Academy Headteacher
Ed Petrie	Primary Academy Headteacher
Jane Dawda	Primary Maintained Headteacher
Alison Ruff	Primary Maintained Headteacher
Jo Beaumont	Primary Maintained Headteacher
Carolyn Lewis	CE Representative

In attendance

Jane Moore, Director of Children and Family Services
Mrs D Taylor, Lead Member, Children and Family Services
Jenny Lawrence, Finance Business Partner, Corporate Resources
Ted Walker, Senior Education Effectiveness Partner

		Action
1.	<p>Apologies and Substitutions</p> <p>Apologies were received from Karen Allen (Chair), Graham Bett, Julie McBrearty, Martin Towers and Suzanne Uprichard.</p> <p>Ms Jo Beaumont was substituting for Karen Allen and Mr Chris Parkinson (Vice-Chair) was chairing the meeting in the absence of the Chair.</p>	
2.	<p>Minutes and Matters Arising</p> <p>The minutes of the meeting held on 23 February 2022 were agreed.</p> <p><u>Matters Arising</u> Jenny Lawrence reported that she had received an email from Martin Towers before the last meeting with a set of questions and queried whether they should have been presented with the minutes. Jenny agreed to send out those questions and answers as an addendum to the minutes to Members.</p>	
3.	<p>De-delegation for School Improvement Proposal</p> <p>Jenny clarified that this proposal was one decision for maintained primary</p>	

and secondaries. Representation was quorate from maintained schools however small.

Chris Parkinson suggested that the paper was presented by Ted Walker but recorded in order to send to those representatives who are eligible to vote, and a vote taken by email return rather than taking a decision with a very small level of representation. Jane Moore agreed with this suggestion but that a tight deadline would have to be put in place. Jenny explained the process and timescales involved and it was agreed that responses should be emailed in by 9.00 am on Monday 28 March 2022 with a clear indication that a non-return is taken as approval of this proposal.

Ted introduced the report which presents De-delegation for School Improvement Proposal. Ted explained that the local authority had over the past few years received a grant from the DfE which is the Local Authority Monitoring and Brokerage (LAMB) Grant, which covers the work of school improvement and the maintenance of its local authority maintained schools.

Following a consultation at the end of 2021 a decision was made in January for the DfE to withdraw this grant in a phased process. Ted stated that for 2022/23 50% of the grant would be withdrawn and for subsequent years the whole grant would be removed. Ted said that for Leicestershire that represented approximately £160,000 in 2022/23 and £330,000 for subsequent years. Ted reported that to replace this funding an amount of £9 per pupil had been identified for 2022/23 and outlined the school improvement functions this funding was for as described in the consultation paper. Ted said that without this funding the local authority would lose the capacity to do this work with maintained schools and the proposal was to replace that. Ted added that the consultation sent to maintained schools came back with a largely consistent response around the questions that were asked and specifically the ultimate question of whether maintained schools support the proposal out of 20 schools; 14 said yes to supporting, 2 had no opinion and 4 did not support. Ted outlined the reasons for the 4 schools who did not support the proposal.

Ted summarised that this largely represented the proposal and summary of feedback and the consequence of not doing this would be an inability of the local authority to perform any school improvement functions with maintained schools which was articulated in the paper but actually the proposal suggested that it was not a very good strategy to leave schools by themselves without any kind of checks and balances and support but that experience of the past had been proactive and developmental work with schools is going to be a more effective and sustainable model going forward if the local authority was going to continue to maintain schools.

Ted reiterated that in this process the money would only be used for the benefit of maintained schools and not part of a wider universal offer that the local authority had with academies and all schools. Ted stated that it was not possible to carry forward this money therefore any unspent monies on school improvement for maintained schools and collected would be returned to schools, possibly through the collaborative groups for schools to then use.

Chris Parkinson asked if there was a proposal to charge more than £9. Ted stated there was no proposal and the £9 was set as a short-term offer to maintain the current system for another year but one of the questions in the consultation was whether a more detailed and sustainable longer-term proposal was put in place for subsequent years.

Alison Ruff joined the meeting but it was agreed to continue with sending out the presentation to maintained schools to vote in order to obtain a higher level number of representation.

Jane Dawda referred to the school improvement proposal rising in cost for subsequent years and stated that schools would want clarity from this in terms of expectations. Jane added that depending on the size of the school they would be paying more money.

Ted agreed and that the timescale was an issue and in the longer term it was in everyone's interests and benefits to make that offer very clear and to give schools clarity over planning what their destination was.

Alison Ruff stated that the decision had been made from the Government and there did not seem to be much choice especially for this year. Jane Moore responded that the DfE went out to consult on this before Christmas and the overwhelming response was not to proceed with this, but the DfE progressed with the decision and the money would no longer come directly to the local authority but for them to apply for de-delegation.

Jane added that the DfE had made their decision about the future of the grant and now it was the local authority to take on the process of de-delegation. Jane stated that either way the grant was being removed and the local authority would not receive 50% of the grant next year and no money the years after hence why the de-delegation route was happening in order to continue with the functions of the grant.

In response to Alison's question about statutory duties and making it clear about these duties and the other functions Jane said that there was not time to work this out properly for next year and said there are a set of statutory duties, areas that add value to the statutory duties and areas that the local authority collectively may choose which was the piece of work Ted was pointing to doing. Alison asked if the statutory duties that the local authority had was presumably for academies as well as maintained schools, for example, Key Stage 2 testing and moderation. Jane said that the local authority had a whole range of statutory duties for which no funding was received and emphasised this grant is related to the specific set of school improvement functions.

Alison asked if the de-delegation was for the statutory duties for maintained schools and all schools. Jane reiterated that this top-slice was just for the local authority to deliver the statutory duties associated with the local authority maintained schools grant which is around school improvement.

Jane Lennie felt that the removal of money from children's education was

happening again and the expectation to fund the local authority's statutory duties should not come from each child's schooling. Jane Moore clarified that this money was not funding any of the local authority's statutory duties which the Government set and expect delivery; these are currently funded via a direct grant and in January 2022 the government would no longer fund these directly. Jane added that the Government had made it clear they were removing the grant and local authorities are expected to de-delegate. Jane Moore added that schools within a multi-academy trust (MAT) have top-sliced from their General Annual Grant (GAG) for numerous activities to support schools and the premise of this was to put all schools in a MAT and maintained schools on the same footing in terms of funding situations.

Jane Lennie asked what the next move was in terms of removal of statutory duties and therefore funding. Jane Moore stated that there was no more funding for schools as this was the last bit of funding left and do not receive any other money from the DfE. Jane Lennie asked if there was any other money for any sector or education for maintained schools imminent this year. Jane Moore said that currently the local authority only receives the LAMB grant, a grant for those children with a social worker and various funding to deliver wellbeing support through for Virtual School for all schools and there was no other direct education funding that comes to the local authority.

Jane Lennie commented that compared to other sections of the County Council's duties this is a small sum. Jane Moore agreed but said that a lot of statutory duties are not funded by Government and through another route e.g. council tax. Jane Lennie commented that this was an easy target and not a lot of money in that the school improvement money needed to come from pupils and how much that would be in future years.

Jane Moore said that the paper sets out clearly what this would be and this amount would only ever get less because maintained schools would move across to the academy system. Jane agreed that compared to the overall department budget it was not huge amounts of money but there was nowhere else to find the money and the Government had been clear that the grant was to be removed and in order to deliver services a move to de-delegation was required.

Jenny added that everything in terms of school funding is governed by rigid regulations and that the local authorities are only allowed to de-delegate very few things which the DfE state and this was one of only just a few. Jenny added de-delegation can only happen at the beginning of the financial year and was only for a prescribed set of purposes as outlined by the DfE and school improvement activity is one of those. Jenny stated that the education funding system is very complicated but wanted to reassure the meeting there are only prescribed things that local authorities can de-delegate and can only de-delegate after consultation with schools and with the approval of Schools Forum. Jenny added that Schools Forum did not approve that the funding system allows local authorities to ask the Secretary of State for a decision.

Chris Parkinson summarised that essentially this was a school improvement activity including intervention with schools that are

	<p>struggling and essentially setting an equal footing for all schools; schools can choose whether to be maintained and those school improvement functions and interventions from the local authority at £9 per pupil or to be part of multi-academy trusts. Chris added that for those not familiar with the Trust landscape they charge between 4.5% and 8% of the overall school budget for school improvement which was considerably more than £9 per pupil. Chris added that Trusts may provide more than the local authority but it was school improvement and the local authority are saying that schools cannot sit alone.</p> <p>Ted Walker outlined that the statutory duties are covered in chapter 5 of the Schools Causing Concern guidance which were due to be rewritten in terms of the grant.</p> <p>Alison Ruff commented that the roles are similar in terms of multi-academy trusts and the local authority in that of intervention for struggling schools.</p> <p>Jane Lennie asked if Schools Forum do not agree to de-delegation would the DfE force the decision to carry this through. Jane Moore said that a decision may be sought from the Secretary of State. Chris Parkinson commented that it would be risky for schools if left on their own without that level of support. Ted said it would also prevent a level of disruption within the system in keeping current system working.</p> <p>Jane Lennie commented that the meeting today was meaningless if the DfE would be making the decision to de-delegate. Jane Moore said that this had to be a Schools Forum decision and the risk of not deciding leaves a gap where de-delegation cannot happen due to timing issues. Jane Lennie commented that the decision should end with the DfE. Jane Moore said that the DfE did not support the local authority previously when Schools Forum did not agree.</p> <p>Chris Parkinson summarised that an email and the recording of the presentation and debate would be sent to Schools Forum in order for the voice of all maintained school members of the Forum to be captured. Maintained Schools Forum members would be asked to respond by return either supporting or rejecting the proposal and by the latest 9.00 am on Monday 27 March to Karen Brown, Clerk of the Forum. Chris added that any non-response would be deemed to be in support of the proposal.</p> <p>Schools Forum noted the changes to the way that Local Authority school improvement functions are funded.</p> <p>Schools Forum representatives for maintained schools are recommended to approve the de-delegation of £9 per pupil for Local Authority school improvement functions from maintained schools' budgets. This was agreed to be carried out via email to ensure all maintained school forum members were captured.</p>	
4.	<p>Any Other Business</p> <p>There was no further business to discuss.</p>	

5.	Date of Next Meeting Monday 6 June 2022, 2.00 – 4.00 pm via Teams.	



SCHOOLS FORUM

2021/22 SCHOOLS BUDGET OUTTURN

6 JUNE 2022

Content Applicable to;		School Phase;	
Maintained Primary and Secondary Schools	x	Pre School	x
Academies	x	Foundation Stage	x
PVI Settings	x	Primary	x
Special Schools / Academies	x	Secondary	x
Local Authority	x	Post 16	
		High Needs	x

Purpose of Report

Content Requires;		By;	
Noting	X	Maintained Primary School Members	
Decision		Maintained Secondary School Members	
		Maintained Special School Members	
		Academy Members	
		All Schools Forum	x

1. This report presents the 2021/22 Schools Budget outturn position and confirms the Dedicated Schools Grant (DSG) Reserve.

Recommendations

2. That Schools Forum note the content of this report

2021/22 Schools Budget Outturn

3. The 2021/22 Outturn position for the Children and Young People's Department is summarised in the following table. This table presents both the Local Authority and Schools Budget for completeness but the report presents detail only for the Schools Budget funding blocks.

4. Overall the Schools Budget (Schools, Early Years and High Needs) overspent by £13.2m. The following table provides an analysis of the overspend and also presents the position on the LA budget for completeness;

	Budget	(Under) / Over Spend		Schools Block	Early Years Block	High Needs Block	LA Block
	£,000	£,000	%	£,000	£,000	£,000	£,000
C&FS Directorate	1,367	(71)	-5%	(1)	(2)	(9)	(59)
Safeguarding, Improvement & QA	2,304	(105)	-5%	0	0	0	(105)
Children in Care	47,173	(3,242)	-7%	0	0	0	(3,242)
Field Social Work	15,183	545	4%	0	0	0	545
Practice Excellence	527	36	7%	0	0	0	36
C&FS Children & Families Welbeing	8,550	0	0%	0	0	0	0
Education Sufficiency	863	(121)	-14%	(91)	0	0	(30)
Education Quality & Inclusion	42,868	2,555	6%	0	3,006	(291)	(160)
SEND & Children with Disabilities	82,940	11,654	14%	0	0	12,081	(427)
Business Support & Commissioning	10,540	(222)	-2%	0	1	0	(223)
CFS Other	(121,828)	(1,516)	1%	(2,288)	1,189	(417)	0
Total	90,486	9,515	11%	(2,380)	4,193	11,365	(3,663)

5. The issues behind the performance of each of the DSG Blocks can be summarised as:

Schools Block underspend £2.38m – The School Block includes funding for individual schools which is delegated in full to maintained schools and academies and for the revenue costs associated with opening new, and expanding, mainstream schools. The underspend relates to the latter and the funding will be required to meet the cost of new schools anticipated to open in the future. New primary schools will open in 2022 and 2023 with a further 9 expected in the period up to 2025 with precise opening dates dependent upon the build rate in new housing developments across Leicestershire. The revenue costs of opening a 210 place new primary school are £0.57m and £2.5m for a 750 place secondary school.

Early Years overspend £4.19m – This relates to additional payments made to providers to help keep them solvent during Covid-19, and a census return to the Department for Education (DfE) which understated the number of hours being undertaken by children in early years providers which caused a consequent shortfall in grant received by the County Council. Work is ongoing to assess how best the additional Covid-19 payments can be recovered from providers over a period of years, and the DfE has been asked if it is possible to revise the census information. No agreement has been reached at this stage.

High Needs overspend £11.36m – Nationally, concern over the impact of Special Educational Needs and Disabilities (SEND) reform on High Needs expenditure, and the financial difficulties this exposes local authorities to, continues. The position in Leicestershire reflects the national picture. The MTFs included £5.7m as the estimated in year overspend on the High Needs Block of Dedicated Schools Grant (DSG). The outturn position shows that this has increased to £11.2m, an increase of

£5.5m. The increase largely relates to an increased number of placements, and the non-achievement of planned savings of £1.9m. The local authority is working to produce a revised recovery plan, an update on this forms s further item on the agenda for today's meeting.

Maintained School Balances

6. It is not possible to formally analyse school balances until the return of the Consistent Financial Reporting returns due to the local authority in mid-June and the subsequent isolation of balances that may be held on behalf of academies where the financial closedown of the former maintained school accounts has yet to be completed. However, the indications are that maintained school balances have increased by an overall £1m.
7. Whilst school balances may be seen as an indicator of financial health, given the number of schools that have converted to academy status it is not possible to gain and financial overview of all Leicestershire schools. Additionally it must be recognised that a schools' balances / reserves are a snap shot at a given point in time and that schools may have plans to utilise them for a number of things including dealing with future budget issues, appointment of additional staff where pupil number may be growing, building improvements etc . Financial planning work continues across both maintained schools and academies, and across all school phases, with the aim of developing a greater understanding of current and future cost pressures & strategies to address them, identifying barriers to effective long term financial planning and strategies to enhance and ensure school sustainability.

Dedicated Schools Grant Reserve

8. The DSG reserve continues to record a deficit which is forecast to grow significant to the end of the four years of the 2022/23 Medium Term Financial Strategy (MTFS) despite the successful delivery of the High Needs Development Plan which has significantly expanded specialist provision within Leicestershire.
9. The Early Years overspend also adds to the deficit and whilst options to recover that position will need to be considered and include conversations with the DfE at this point a recovery plan hasn't been defined. The reserve is now classified as an unusable reserve given its deficit position and can only be used to support defined expenditure falling to DSG as set out within the Schools and Early Years Finance Regulations.
10. The following table sets out the component parts of the DSG reserve, a positive figure denotes a deficit:

	Schools Block £,000	Early Years £,000	High Needs £,000	Total £,000
Brought Forward	(6,454)	68	17,485	11,099
2021/22	(2,380)	4,193	11,365	13,178
	(8,833)	4,261	28,850	24,277

High Needs Issues

11. The findings of the long awaited SEND Review have been taken into account within the Governments Green Paper 'SEND Review: right support, right place, right time', but the timescales for implementation of any of the proposals within it are uncertain with many requiring further consultation and / or legislation changes.
12. The DfE have expanded their support programme and have agreed a further 9 Safety Valve Agreements with local authorities with the highest deficits. The DfE have also extended their support for those authorities with less severe but substantial deficits within a new Delivering Better Value in SEND (DBV) programme and Leicestershire has been identified as one of those authorities and has met with the DfE to discuss the position in Leicestershire. However, the scope and extent of any support that may be available is yet to be confirmed. A procurement process for a Strategic Partner to support a recovery plan following the diagnostic undertaken in the Spring has been undertaken.

Resource Implications

13. All resource implications are contained within the body of the report. However, the DSG deficit remains the most significant financial risk within the local authority who has been required to set aside resources to offset it at a cost to other Council services.

Equal Opportunity Issues

14. There are no equality issues arising directly from this report.

Officer to Contact

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