

# Leicester City Council Schools Forum Minutes

Draft Minutes of the MS Teams meeting held a 1pm on Wednesday 27 January 2021

## Present

### Schools members:

Mainstream Academies:

Special Academies:

Special School Governors:

Special School Heads:

Secondary School Governors:

Secondary School Head representatives:

Primary School Governors:

Primary School Head representatives:

Pupil Referral Units:

### Name:

Mike Hobbs, Jane Ridgewell, Rose Angus,  
Denham Kite

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Sarah Osborne

Chandrika Patel

Anna White

Liam Mahoney, Steve Wilson

Matt Potts, Karl Stewart

Shaun Whittingham

### Non-school members:

Teaching Unions:

School support staff Unions:

16-19 Providers:

Early Years PVI Providers:

### Name:

Jessica Edmonds (Chair)

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No attendee

Matthew Leedham

### In attendance:

Cllr Elly Cutkelvin

Sue Welford

Martin Judson

Jo Poynton

Sally Vallance

Martin Walsh

### Role:

Assistant City Mayor (Education)

Principal Education Officer

Head of Finance

HR Policy & Projects Manager - LCC

Lead Commissioner - LCC

Clerk to the Forum

## 1. Apologies for absence

Apologies for absence

## 2. Declarations of interest

There were no declarations of interest.

## 3. Introductions

The Chair welcomed members to the meeting.

## 4. Minutes of the previous meetings and matters arising

The minutes of the 13 November were agreed as an accurate record of proceedings subject to one amendment on page six to read. Q. Julie Robinson asked why all Special schools had not been included in the review. It was also noted that that Cllr Cutkelvin is Assistant City Mayor.

The minutes of the 25 November were agreed subject as an accurate record of proceedings subject to the change of Sir Jonathan North CC to Sir Jonathan North College and the correction of Osbourne to read Osborne.

***Matters arising***

***i) Draft paper for Element three.***

The Principal Education Officer explained that the paper is in development and would be made available when completed the paper is now being overseen by Tracie Rees.

***ii) Letter to DfE***

The Principal Education explained that the letter template would be provided shortly.

**Action (Sue Welford)**

**5. Joint SEND Commissioning Strategy across LLR**

Sally Vallance presented a brief overview on the draft Joint SEND Commissioning Strategy and highlighted the joint working that takes place in understanding the needs of children and offering the provision and quality to support that need by working collaboratively across Leicester City, Leicestershire and Rutland Councils and Health providers. A link to the survey had been provided to allow feedback on the strategy.

Cllr Cutkelvin explained that this was a high-level document within the framework of establishing a relationship with Leicester, Leicestershire, and Rutland Councils along with the CCG. It was noted that this is setting out the principles of joint commissioning.

**6. TU Facility time options**

The Principal Education Officer explained that a key question was the difference between the primary sector wanting to accept the arrangement and the secondary sector not agreeing to accept the inflationary uplift. The HR team have investigated the detail and because of changes in the amount of resource available in TU facility time it is no longer required to have an increase in the funding. The de delegation funding will remain the same as before. The charging for facility time for internal services will be reviewed and the traded offer for Academies covers the correct amount of funding.

The HR Policy and Projects Manager explained that the situation had changed due to the NEU voluntarily reducing their facility time and this had allowed to keep everything under review for another year.

The EIP representative explained that the secondary maintained head teachers had met with the NEU and had agreed that without the uplift there was a significant surplus which could allow de delegation to happen without the uplift.

Several caveats were proposed below.

- Annual individual school level report to allow schools about the use of facilities time
- Annual report at Schools' Forum to review the funding in different sectors and use of facility time
- Annual review the contributions of the different sectors to ensure an equitable distribution

The Chair explained that the NEU should be able to provide the reports and would investigate the appropriate reporting methods.

The Mainstream Academies representative explained that there was a difference in the methodology used between mainstream schools and academies in calculating contributions and asked if this could be aligned so that it appeared fairer.

The HR Policy and Projects Manager explained that the academy charges were designed to mirror an equivalent mainstream school. It was agreed to review any issues at a TNC working party and report back to the Schools' Forum.

The Chair asked maintained and primary sector representatives to vote on de-delegating at the same rate as last year without the 3% uplift.

**Vote:** Yes - Unanimous

The Chair formally agreed the caveats related to the TU facility time on behalf of the teaching unions

The Chair asked the Forum to vote on the caveats related to TU facility time.

**Vote:** Yes - Unanimous

### **7. Dedicated Schools Grant 2020/21 (Martin Judson)**

The report of the Head of Finance, Education & Children's Services was received. It was explained that the DSG allocations had been received for the four blocks in late December. The purpose of the report is to inform about the allocations and the changes from previous year. The overall impact of the changes would be explained. The schools block is based on census numbers in October of 2020. It was noted that there is a reduction in the birth rate, and this would have an increasing impact on primary schools. The DfE calculate an amount per pupil based on the previous year based on the national funding formula and this year the rates have increased by 3%. The funding for pension and pay increases have now been incorporated into the dedicated schools grant in place of a separate grant. The like for like increase is approximately 2.5%. The IDACI factors relating to income deprivation among children has been recategorized by the DfE. However, this had not had any significant impact on that funding. A significant impact will be felt by the DfE using the October 2020 data and this will create a shortfall of approximately £1.9 million due to three new schools expanding their year groups. It was noted that there are now 20% more pupils eligible for Free School Meals. Therefore, there will be another shortfall of £0.7 million due to the DfE using the October 2019 data. The DfE have stated that the MFG must be set at positive rate of plus 0.5% and a maximum of plus 2%. It was noted that this year because of the short falls in the MFG the fairest solution would be to set the gain at plus 0.82% given the constraints. There is insufficient funding to allow any school gains.

Cllr Cutkelvin reiterated the upcoming pressures that will be placed on primary funding due to the birth rate dropping off and suggested raising the issue with LPP as soon as possible.

The NAHT representative agreed to arrange a meeting to discuss the issues raised. He also asked if the LA could support and training schools in managing their budgets effectively.

The Head of Finance explained that the school finance team are looking to increase their capacity in the next month. It was also noted that the DfE have also launched their own portal to allow schools to benchmark.

Cllr Cutkelvin explained that capacity issues had been discussed and the support had been delivered when schools had been identified in needing additional support.

The Principal Education Officer explained that schools face significant challenges and training in finance was very important. It was also noted that pupil place planning will continue to review how this will impact in terms of numbers.

The mainstream academies representative suggested that the DfE should be challenged in their use of the 2019 census data for FSM data as this does not consider the growth in uptake of FSM.

The Head of Finance explained that the DfE had been challenged and had not offered any solution.

The Principal Education Officer explained that the DfE will be written to again to raise the issue as a concern.

The Chair explained that the teaching unions had recognised the falling primary school numbers and suggested that this trend would lead to falling numbers in secondary schools. If this is the case, why are three secondary schools currently expanding.

The Head of Finance explained that this capacity was needed to cope with the current demand from the primary sector and the need to replace old temporary accommodation.

Cllr Cutkelvin noted that pupil place planning trend is very difficult to predict and the birth rate drop off is unprecedented.

The Principal Education Officer explained that there is clarity for the next seven years and the secondary school numbers are needed to meet the demand. It was also noted that the LA has a statutory responsibility to ensure that enough school capacity is available to meet the demand.

The mainstream academy representative suggested that the strategy in the primary sector having some stretch in their capacity had not been reflected in the secondary sector and the aftermath would lead to empty secondary schools. Expanding and contraction allows for a school to remain in place with their identity and culture.

Cllr Cutkelvin explained that this was cyclical and there was no easy solution to predicting pupil numbers.

The mainstream academies representative suggested that there are potential problems being stored due to the falling pupil numbers and in turn could lead to financial and staffing problems.

The school governor representative suggested that the current Covid lockdown could create a baby boom.

Cllr Cutkelvin acknowledged that there was the potential for a shift in some way due to the uncertainty caused by the corona virus.

### **Central School Services Block DSG**

The Head of Finance explained that the CSSB is allocated on a rate per pupil basis again. Additional funding is included for teachers pensions and pay grants for centrally employed teachers, thus the increase in the allocation this year. Other on-going responsibilities were included amounted to £2,196,882.

### **Early Years Block (EYB)**

The Head of Finance explained that the DfE had increased the hourly rates that they pay for 3- and 4-year olds by 1.29% and the 2-year-old rate has increased by 1.52%. These increases will be

passed on in full to the providers. The LA is allowed to charge centralised expenditure up to 5% and this allocation is £1m. The Schools' Forum will be asked to approve £0.22m in line with the previous year.

### **High Needs Block (HNB)**

The Head of Finance explained that the DfE allocation for 2021/22 has increased by £6.1m although this includes £1m of teachers' pay and pensions grant so the like for like increase is £5.1m or 9%. Increases to the LAs' HNB allocations range from a minimum of 8% to a maximum of 12% per head of population.

The current forecast for 2020/21 is a shortfall of £6.1m, between allocation and actual expenditure. The number of EHCPs have increased by 13% between January 2020 and 2021 (based on provisional figures) – the previous 3 years' increases were 15%, 13.8% and 10.4%. Expenditure on mainstream SEN top up funding has also increased significantly again in 2020/21. The increase received from the DfE will not be enough to offset a shortfall of £3.3m. It was noted that the DfE only take into consideration the cumulative deficit on the DFG reserve. The LA will be in deficit by March 2021 and the LA will have to come up with a management plan to address this issue.

The Early Years PVI representative asked if the new rates for 3- and 4-year olds and 2-year olds would go up from the base rate by 1.29% and asked what the new base rate would be. He also asked if the maximum 5% would be taken from the centralised expenditure.

The Head of Finance explained that the new base rate would be increased by 1.29%. He also noted that the minimum cost would be taken out of the centralised expenditure for the administration expenditure. Head room was needed to allow for any short fall in funding caused by further intake not taken into consideration by DfE census data.

The special school heads representative welcomed the consultation for the higher needs block funding for special schools and asked for clarification on the outcome and if the final decision had to be approved by the DfE.

The Head of Finance explained that there are several areas from the consultation that needed further work. The DfE approval is only required if unit funding rates are reduced. Where a reduction is proposed for Millgate school and Keyham Lodge the DfE would have to approve that decision. The LA would be in control of any increase in funding.

Cllr Cutkelvin explained that 3 schools within the banding that had significant questions and they had been given time to submit further evidence to make the consultation fair. It is hoped that by the middle of next week there will be a better idea of when this will be put to the Executive and Scrutiny. It is hoped that the process will be completed by the next financial year.

The mainstream academies representative asked for clarification on the EYs funding and what census data the funding would be based on and will the funding arrive from the DfE before this financial year close down and is there any disparity between the DfE stating that nursery places will be fully funded during Covid based on January and the LA providing a maximum of 80%.

The Head of Finance explained that for EYs from April to December will be based on the January 2020 census data. All the providers have been paid that funding, some providers had received more than the January 2020 census pupils gave us funding for and there were some that were less. Everyone has been paid that had more pupils than the number of children that they had. Those that had less children than the January 2020 census data have been paid approximately 80% of the funding that they were entitled to. All the money from the DfE has been paid from April to December. From January to March this year the DfE are basing the funding on January 2021 census data.

Therefore, there will be no protection for EYs providers from January onwards and are basing it on the census data. The protection is based on April to December last year and for January to March this year it will be based on January 2021 census data. He clarified that the Autumn term 2020 would ordinarily have been calculated on the January 2021 census data. The DfE have decided to calculate funding not just for April to August period but for September to December period 2020 based on the January 2020 census. If all the providers had been at 50% of their January 2020 census data figures, then everyone would have had what they expected based on the 100% January 2020 census figures. However, some providers had more pupils, and some had less. Funding had to be paid to providers that had more children and compensate with the funding available any nurseries that had fewer pupils back in January 2020.

The mainstream academies representative suggested this had not been communicated and explained that schools were expecting funding based on the January 2020 census numbers and if that is not the case it will need managing leading up to the management year end.

The Principal Education Officer explained that the decision had been communicated and acknowledged that it was a significant challenge for the numbers that are there and there were a number of places that had more children than they had in January and others that did not have those numbers.

The EYs PVI representative asked if there could have been cases where parent had moved a child from one setting to another which could lead a child be funded twice in two settings.

The Head of Finance explained that the LA is trying to ensure that providers have the same funding at pre Covid levels measured by the amount of money provided by the DfE based on the January census data regardless of the attendance.

The Principal Education Officer acknowledged that there are concerns about sufficiency going forward. This had been picked up by the DfE and funding can be based on January 2020 census data. The challenge comes from the change in numbers in some providers and this does not allow all of the funding based on January to 2020 census including new pupils that had arrived. This would have meant funding all pupils at January 2020 census and not funding a provider that had taken on more pupils. Funding must be provided for pupils that have places.

The Chair asked Forum to vote on the budget proposals.

- i Note the 2021/22 DSG settlement **Vote: Yes Unanimous**
- ii Note the continued use of the NFF for the local formula **Vote: Yes Unanimous**
- iii Note the MFG of plus 0.82% and capping of gains at plus 0.82% per pupil **Vote: Yes Unanimous**
- iv Note the distribution of the year on year changes to total budgets, numbers on roll, and per pupil funding rates **Vote: Yes Unanimous**
- v Approve the recommended Growth Fund funding rates **Vote: Yes Unanimous**
- vi Approve the expenditure to be funded from the Central Schools Services Block (2.197m) **Vote: Yes Unanimous**
- vii Approve the central expenditure to be funded from the Early Years Block **Vote: Yes Unanimous**
- viii Note the increase in the hourly rates for EYs providers **Vote: Yes Unanimous**
- ix Note the initial HNB allocation **Vote: Yes Unanimous**

### **8. Review of Forum membership (update)**

The Chair noted that Danny Bullock had now resigned from the Forum and thanked him for his contribution to the committee. The Chair also welcomed Denam Kite representing Krishna Avanti.

### **9. Constitution regarding MS Teams meetings (Steve Wilson)**

Views were sought on the value of continuing virtual meetings and amending the constitution to reflect the new ways of working.

The Chair explained that members had a positive response to continue in the current format or a flexible or hybrid way of joining the meeting. It was agreed to bring a form of words back to be approved at the next meeting.

#### **Action (Chair)**

### **10. Feedback on Council's general fund budget**

The Chair noted that the teaching unions raised concerns about the Council Tax increase of 5% to help towards the £20.2 million shortfall when workers are facing pay freezes well below 5%. It was noted that the EIA stated this would have a disproportionate impact on women who tend to manage household budgets and childcare costs. Women are disproportionately lone parents and a group that is likely to lose out in welfare reforms. Will the LAs mitigating actions to this (supporting household budgets) be enough?

The Head of Finance agreed to feed the comment back to the relevant body.

There being no further business, the Chair declared the meeting closed at 3pm.

The next Schools' Forum meeting date: 23 June 2021 Time: 1pm