

# MINUTES OF MEETING

**Meeting title:** Nottinghamshire Early Years and Schools Forum  
**Date and time:** 24<sup>th</sup> February 2022, 2pm to 4pm  
**Location:** Virtual Meeting – Microsoft Teams

## Membership

*'A' denotes absence*

	Andrew Rossington	Maintained Primary Head Teacher - Gedling
	Ben Waldram	Maintained Primary Head Teacher - Newark
	Steve Border	Maintained Primary Head Teacher - Rushcliffe
	David Phillips	Maintained Secondary Head Teacher
A	Dr Philip Smith	Academy Representative
	Halina Angus	Academy Representative
	Anne Hall	Academy Representative – (Vice Chair)
	Neil Holmes	Academy Representative
	James Macdonald	Academy Representative - (Chair)
	Neil Robinson	Academy Representative
	Matt Rooney	Maintained Special School Head Teacher
	Jamie Hutchinson	Academy Special School Head Teacher
	Colin Barnard	Governor Maintained School Representative
	Andy Palmer	Governor Maintained School Representative
	Fiona Jones	Governor Academy Representative
	Paul Hawkins	Governor Academy Representative
	Jacquie Sainsbury	Governor Special School Representative
	Laura Gapski	PVI - Early Years Group Member
	Karen Richards	PVI - Early Years Group Member
A	Nigel Frith	Church of England Diocese Representative
	Daniel Moore	Catholic Diocese Representative
A	Louise Knott	14-19 Partnership Representative
	Joe Jefferies	Trade Union Representative - NASUWT
A	Jo Myers	Trade Union Representative - UNISON

## ***In attendance:***

Marion Clay	Service Director, Education, Learning and Skills
Naomi Clark	Senior Finance Business Partner, Children and Families Finance
Irene Kakoullis	Group Manager, Early Childhood Services
Karen Hughman	Group Manager, Education Access, Standards and Safeguarding
Jason Gooch	Finance Business Partner, Children and Families Finance
Mark Needham	Finance Business Partner, Children and Families Finance
Tracy Ayers	Team Manager Education Partnership
Emily Adkin	Graduate
Toni Gardner	Assistant Accountant, Children and Families Finance (Clerk)

1.	<p><b>Welcome</b></p> <p>James Macdonald welcomed all members to the meeting.</p>	
	<p><b>Apologies</b></p> <p>Apologies were received from Dr Philip Smith, Nigel Firth, Colin Pettigrew, and Councillor Sam Smith.</p> <p>There are four vacancies on the forum, two in the maintained primary sector and two in the academy sector, adverts will go out as soon as possible.</p>	
2.	<p><b>Minutes – 12<sup>th</sup> December 2021</b></p> <p>Minutes approved as accurate and correct.</p>	<p><b>ACTION</b></p>
3.	<p><b>3a. LA Scheme for Financing Schools</b></p> <p>Naomi Clark presented the paper and advised that the vote would only involve the maintained sector. There are no major changes to the scheme more just an update to the guidance so nothing that may cause problems. Consultation was carried out end of November to mid December, only three responses were received and nothing of concern was raised.</p> <p><b>RECOMMENDATION/S</b></p> <p>That the Forum:</p> <ol style="list-style-type: none"> <li>1. Approve the updated scheme – All maintained members agreed.</li> </ol>	
	<p><b>3b. 2022-23 Schools Funding Formula Update.</b></p> <p>Naomi Clark presented the paper and explained the first table which is the Dedicated Schools Grant (DSG) allocation. All Local Authorities were advised of their allocation and received the Authority Proforma Tool (APT) which includes the October 2021 census data 16<sup>th</sup> December 2021. This is the first-time complete data from this census is shared with Local Authorities.</p> <p>Nottinghamshire County Council has received over 11% increase in the High Needs Block, 4% increase for the Schools Block but the Central Block has decreased by just under 3%. Early Years is a forecast as the allocations won't be confirmed until July 2022 (the confirmation will be the allocation for financial year 2021-22).</p> <p>The 2022 formula was discussed and approved by Policy Committee, participation in the consultation was mentioned, this has been taken on board and for next year we will try various ways to engage more schools to take part in the consultation. The formula has also been approved by the Education and Skills Funding Agency (ESFA)</p> <p>Table two shows an increase in pupil numbers and our allocation will have been adjusted for this, however we have also had a large increase in pupils that attract the pupil mobility, English as Additional Language (EAL) and Free School Meal (FSM) Local Authorities per pupil amount will not be adjusted therefore the per pupil amounts are based on the characteristics from the pupils recorded in the October 2020 census.</p>	

All factors were increased to mirror the National Funding Formula (NFF) and a Minimum Funding Guarantee (MFG) was set at 2%, but it was unaffordable and based on the consultation a CAP was introduced this was set at 6.9%.

Naomi Clark gave a disapplication update, the one for Minster had already been approved in November but we also required a disapplication for the joint use and rental factor based on the guidance published in December 2021, and a disapplication for MFG adjustment and technical adjustment to the budgets. These were sent to members via email, thank you for your responses, members were advised that the ESFA had approved these.

David Phillips asked why the disapplication's weren't discussed at the November meeting and had to be conducted via email with a swift turn around for responses. Naomi Clark explained that it came to light when the updated December 2021 guidance was reviewed. It states that any exceptional factors that had been approved pre 2017-18 would need re-approval for Local Authorities to use these factors in their budgets.

Until we have the October 2021 data, officers wouldn't know if a school meets the required criteria to receive the exceptional factors allocation. Not meeting the criteria would need an MFG and technical adjustment. Going forward we intend to bring these disapplications to the November meeting to consult on as we do with the Minster disapplication. It will be too early to know specifics, but the principle can be consulted on and agreed.

A discussion was had around what happens to a historical exception premises allocation when a school doesn't meet the criteria and the implication of not putting in a MFG adjustment for these schools.

David Phillips – not meeting the criteria impacts upon schools who have an existing agreement with the LA, it would be good practice for such a school to know who to approach when criteria doesn't allow an allocation from the DSG.

Fiona Jones – when the hard formula is adopted in full will a lag on data still exist?  
Toni Gardner – I think there would still be some sort of a lag, the ESFA have not published any details around how and when they would advise on the per pupil amounts, per authority when the direct National Funding Formula (NFF) is implemented in full so cannot be 100% sure. For the ESFA to use the most up to date characteristics from the latest October census the per pupil amounts couldn't be advised of in July.

James Macdonald – What was the rough percentage increase in FSM between the October 2020 and October 2021 censuses?

Naomi Clark – we had a 9% increase overall in FSM, over the past two years the increase is almost 19%, the biggest factor increase between the two censuses was English as Additional Language (EAL) which had a 30% increase

Fiona Jones – Perhaps when the minutes go out, we could also have a breakdown of how the characteristic factors have increased, it will be useful to have when explaining why the formula has not been affordable.

It was agreed this would go out after the meeting.

TG

<p>With regards growth, Nottinghamshire has received £4.2m, last year we received £3.6m. Details in the report gives guidance on how the growth fund can be used and the table shows the schools that have received growth funding through the APT. These are new schools or schools which will have a change in pupil numbers due to basic need request from the LA. These schools account for a spend of £1.838m from the £4.2m received, leaving and in year balance of £2.379m any unallocated balance on the growth funding will be ring-fenced for future growth and held in the non-LSB reserve.</p> <p><b>RECOMMENDATION/S</b></p> <p>That the Forum:</p> <ol style="list-style-type: none"> <li>1. Notes the content of the report – report noted</li> <li>2. Approves the amount of growth funding centrally retained for 2022-23, £2.379m – All members agreed</li> </ol>	
<p><b>3c. 2022-23 Central School Services Block Funding</b></p> <p>Naomi Clark presented the paper, and explained the details in appendix A.</p> <p>Mark Needham explained that the funding for the historical elements have been reduced, the psychology service no longer qualifies as part of the central block, this is being transferred to Local Authority expenditure, and funded from elsewhere.</p> <p><b>RECOMMENDATIONS</b></p> <p>That the Forum:</p> <ol style="list-style-type: none"> <li>1. Approve the Authority’s application to centrally retain funding within the Central School Block for the services set out at Appendix A – All members agreed.</li> </ol>	
<p><b>3d. 2022-23 Early Years DSG Funding Central Expenditure</b></p> <p>Irene Kakoullis presented the paper and confirmed that the Local Authorities Early Years allocation will not be known until July this year. The current figures are based on information we have at present.</p> <p>As we don’t know the actual budget it’s hard to plan, we have some overspends in certain areas and are still predicting underspend in others. Local Authorities are allowed to retain up to 5%, Nottinghamshire County Council is proposing to retain less than 3% which could change, it all depends on our confirmed allocation.</p> <p>Point 8 has a table showing the hourly rate, which has been discussed and consulted on previously. The breakdown of central costs that is detailed in Appendix A was explained.</p> <p>Mark Needham advised members that a Department of Education (DfE) mistake with our uploaded documents meant that Nottinghamshire County Councils allocation was incorrect – discussions have taken place, and this will be rectified.</p>	

## RECOMMENDATIONS

That the Forum:

1. Approves the Authority's proposal to retain £1.436m of early years funding to be used for sufficiency and assessment functions within the Early Childhood Services and Schools and Families Specialist Service – All members agreed

### 3e. DSG Budget Monitoring Period 10

Mark Needham presented the paper.

The forecast is focusing on the overall underspend of £670,000 across all four blocks, this is made up from an overspend in the High Needs Block of 900,000 offset by the underspend in the Early Years Block of 1.584m.

Within the High Needs Block, the main areas are 1.5m on the independent providers, and 0.5m on placements with other local authorities, these overspends are offset by various underspends, these being the therapies service for our special schools which has struggled to get underway due to the pandemic, The inclusion service mainly due to vacant posts and less travel due to the pandemic, vacant posts in the partnership team and delays in the setup of the enhanced provision / special school hub.

The early years forecast is predicting a large underspend, it's based on the three census and not as previous years, so need to be mindful of that. We will continue to monitor this budget and report the underspend to forum where consideration for distribution can take place.

Laura Gapski – What happens with the underspend in the early years block and the overspend in the high needs block, who makes the decision on what we do in this situation if there's not enough money to satisfy both.

Mark Needham – We've been saying that we would bring this to the forum for the forum to make the decision, however this is down to the budget holders.

Laura Gapski – comment on teams 'Thanks to the Early Years Team at NCC for keeping the retention rate at such a reasonable level compared to other counties; greatly appreciated!'

Jamie Hutchinson - the independent non maintained spend, is there anyone looking at the cohort of these children that are accessing the services, whether there's any patterns?

A discussion was had around this question, yes someone is looking at the cohorts, the characteristics of the pupils and the provision in special schools to meet the needs of these pupils, but this is best dealt with at the Special School Trust Board.

## RECOMMENDATIONS

That the Forum:

1. Notes the content of the report – report noted.

### 3f. High Needs Presentation

Marion Clay and Karen Hughman talked through the presentation and suggested that this was a good tool to share with governors and other interested parties especially when trying to explain the continuing impact of Local Authority funding based on the historic spend factor

Though Nottinghamshire's funding has increased it is still insufficient to meet the demands. Slide 4 shows our statistical neighbours, despite the very significant increases we've had, the inequity of the ongoing situation we face where despite all the campaigning, and receipt of greater increases than others, Nottinghamshire is still at the bottom of that table and our children per head are not funded at the same level as children in other authorities. i.e., Derbyshire.

In Cumbria, Cheshire West and Kent, the difference is significant. While in Nottinghamshire, the per pupil amount is around £615, the per pupil amount in Kent would be attracting around £811 in funding. The system is much more complicated, and this is a simplistic way to look at it however it does not alter the fact that our allocation is much lower, and we receive a much smaller share of the funding mainly due to the historical factor in calculating the funding. We encourage you all to share this information and urge all interested parties to continue to advocate for Nottinghamshire.

If Nottinghamshire had been funded at the same level as Kent, we would have an additional £32m in the High Needs Block. Nottinghamshire has for the first time seen larger in year increases than Derbyshire and yet Derbyshire still received £8m more. Despite the ongoing unfairness of the funding for Nottinghamshire, as a Local Authority we are doing very well in managing this budget, it is overspent but compared to other authorities the budget has been managed well.

Ben Waldram – Why are we funded differently to other counties?

Marion Clay – I can't answer that question. I'm sure there's a very technical reason as to why we are funded at a different level, this is one of the areas that local authorities and local politicians advocate very heavily, but one of the main factors is the historic spend part of the formula.

Nottinghamshire are still projecting an overspend in this current year's budget, there has been an increase in allocation to the High Needs Block, (additional 11.8m for 2021, and 10.8m 2122) we did not consult to top slice anything from the Schools Block a decision that was made in the November meeting.

In the next 6 to 8 weeks, we will have a better idea what the overspend will be, whether this is going to grow significantly depends on numbers of more children accessing the service, how many children go through the high-cost panels this month and next month, children who are in receipt of Education, & Health Care Plans (EHCP). These various factors will determine whether the overspend will go up, whether it will stay the same, or indeed whether it will nudge down slightly.

The adjustment for non-maintained special schools and Home to School was discussed. Home to school transport has a fixed contribution of 1.7m, this has been fixed since 2011. The Local Authority will provide an additional 12m from revenue funding the balance of what Home to School Transport costs. This figure is likely to carry on increasing as more children access the service and require transport.

Karen Hughman – In special schools for 2022 there are 1,170 pupils an increase of 39 places. Special schools are funded in terms of place funding £10,000 and then a pupil top up amount which falls into one of five bands, which band depends on the specific needs of the pupils.

For historic reasons Nottinghamshire special schools have received different amounts for each band of top up funding, some time ago at our Special School Trust Board we agreed that we needed to reach a point where each of those bands meant the same amount of funding for all our special schools, an equitable rate across all.

The 8 special schools who receive the lowest rate in bands, will have an increase, and receive the same amount as school number 3 that is on the higher rate of top up. The 3 schools on the higher top up rates will not receive an increase as we try and move to same top up amounts across all our special schools.

We're planning to increase the number of special school places across this coming year by 95 additional places. They're already built into our program and that will be achieved by adding classrooms to two of our special schools, Orchard and Derrymount, we'll also be setting up our first satellite special school. This will be at King Edward Primary in Mansfield, so it will be for primary age pupils and will be set up by Stubbin Wood special school.

Special school therapies and equipment - Special school headteachers have worked with our ICDS team and with health services to come up with a plan in terms of the support for special schools moving forward. There is also an opportunity with some of that money to bid for equipment and health type services that schools have had to pay for themselves, once upon a time these services would have been paid for by health and this is to make sure that schools aren't losing out by this transition.

Helping support children to remain in mainstream education with that additional level of support, might be something that in the future the LA will re-address with Forum members.

Devolved partnership funding that goes out to the school behaviour partnerships, each pot of funding has been increased by 4.6%.

Jamie Hutchinson – Stubbin Wood this is a Derbyshire Special school, why have Nottinghamshire gone to a Derbyshire school and not set up a Nottinghamshire hub?

Karen Hughman – We have more children than special school places at this moment in time and these are that cohort of children. Decision considered the benefit of being educated in their own locality/home environment and not sent on a minibus elsewhere and far from home.

The LA are very much open to all and every suggestion about positive pathways for SEND children and how we can help to keep them within Nottinghamshire, all suggestions are gratefully received.

Concern was raised about the possibility of Derbyshire taking up places in the Stubbin Wood hub with Derbyshire pupils, when it's funded by Nottinghamshire it should be there for Nottinghamshire pupils. Karen Hughman assured members that this has already been discussed with Derbyshire and this won't be happening.

Jamie Hutchinson, Matt Rooney, and other Nottinghamshire Special Head Teachers are interested in setting up a special school hub, this has been discussed in the past the special school members requested another conversation.

The Independent Special Provision budget was discussed, this pays for our children whose education needs can't be met in a mainstream setting and do need that independent specialist provision. This budget is highly spent, it's for children with Education, Health Care Plans (EHCP) and provision for several children in care, who need a residential/education setting. This budget has been increased, we must be realistic as much as we are working with the whole education sector through our locality meetings to look at ways of keeping children in Nottinghamshire schools and reducing the need to go out to independent specialist provision, the reality is that we are still using a considerable amount of independent specialist provision and it's wrong of us not to allocate an appropriate amount to this budget.

£1.4m has been set aside for children who do not have a EHCP but do need interim EOTAS provision, these children come through the fair access panel process, children who cannot yet be placed in a mainstream school for whatever reason. We have clear processes and practices around children who would otherwise become children missing from education, to ensure that there is education provision that can be made for them, with hope that they are then reintegrated into mainstream schools as quickly as possible.

Health related services have seen an increasing number of referrals from schools in the last 6 months. Many of those are young people with anxiety, we're not sure if the increase is a result of COVID or of working at home and deciding that they quite like working at home. With the increasing requests we need to be able to respond as this is a statutory responsibility. Therefore, the proposal is for 2/3 specialist HRET teachers initially on a 2-year contract, if the increased number of young people needing support is a result of corona virus, demand may well reduce if it isn't, a different conversation in the years to come will be required.

We still have the physical disability specialist service based on site at Harlow Academy. They support with adaptations to buildings providing specialist equipment, and training school staff.

Karen Hughman talked through the monies devolved out to mainstream schools, Additional Family Needs (AFN), Family Network Funding (FNF) and High Level Needs (HLN).

AFN is the amount that the family Senco and school Senco discuss and share out to support children in school once they're assured that the notional £6K within the school budget has already been effectively used to support that child. This pot is to receive a 4.6% increase this year.

FNF enables schools to have family Sencos, for SEND training, support for staff, support with complex pupils and support for unexpected admissions. This pot as also received a 4.6% increase.

HLN we have 3 bands and the allocation depends upon the needs of the child. HLN1 £11K, HLN2 £16.5K and HLN3 £20.9K. Increase for this is also at 4.6%.

Marion Clay – Looking to the future I think there will be pressure on the High Needs Budget for some considerable time. Locality working came from Peter Gray's recommendations to build on the strengths already in place, but all of this is still in its early days.



<p>The number of children seeking EHCP and identifying with special educational needs is increasing and is placing increasing demands on the system, on all schools and budgets. We need more special school places; we have been pushing for additional local authority funding for new special school and will continue to do so.</p> <p>Matthew Rooney thanked everyone for the work, with so much information it would benefit members to have this in a report or receive the presentation before the meeting so that the information and figures can be looked at in advance enabling members to prepare questions.</p> <p>Confirmation was requested regards the SSG within the High Needs Block, that this has not been allocated to special schools? That there will be 3 special schools in the whole of Nottinghamshire that will not receive any funding to offset the health and social care levy, increased energy prices and National Insurance?</p> <p>Marion Clay – these 3 schools over the years have had an advantage with higher rates per bands the objective is to narrow that gap, which we have managed to do over the last 3 years, our aim is that all special schools are funded at the same rate. School carry forwards and reserves were mentioned.</p> <p>A discussion was had around the levelling of banding rates in special schools, levelling down is not permissible within the regulations, the rates are historical from when the formula changed. The agreement for levelling out the banding rates was taken a couple of years ago it takes time to be able to do this, but we are almost there.</p> <p>A further conversation was had around the SSG and social care levy how it's been allocated to the authority and the use of this, Jamie Hutchinson was not aware it would be used to fund special schools and narrow the rates gap. It was agreed this was very special school focused and a separate discuss, maybe at the heads meeting is where this could be discussed in more detail.</p> <p>David Phillips asked about the enhanced mainstream provision, the 5 units and the continued interest in developing this to ensure students don't end up in independent non maintained settings. Was the plan for this provision to be extended? Has the initial rollout being successful and is this the reason for the increase in funding?</p> <p>Karen Hughman – The only extension will be the primary one which was agreed last year and will come into place from this year, the intention is to do a thorough evaluation of the ones that are up and running, hopefully with a case for more, we are aware several schools are interested.</p> <p>Presentation to be sent out to all members, James MacDonald advised members that if any had specific questions around the presentation to submit these to Toni Gardner.</p> <p>Received questions and comments: -  Jamie Hutchinson – idea to share data on screen or receive report or presentation in advance.</p> <p><u>Questions</u></p> <ol style="list-style-type: none"> <li>1. Why have the LA gone to a Derbyshire school to run a Nottinghamshire facility? I appreciate that they may have been frustrated after a Nottinghamshire head pulled out but I'm sure there's flexibility in the system to help. The LA could have gone to one of the schools or an Academy to enquire. We don't want money we just want to help.</li> </ol>	<p>TG</p> <p>MC/KH</p>
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	<p>2. In the past, we were promised that the HN budget would be aligned. I think it's wrong that the SSG budget is being used for this. I think that a NOR calculation would be more accurate (we've used this in the past)</p>																			
<p><b>4. Any Other Business</b></p>	<p>Risk protection paper was introduced, James Macdonald explained that different scenarios had been presented to maintained schools who are currently insured under the local authority-maintained schools' system.</p> <p>There had not been a great response to the consultation, so the LA went back out and asked schools whether they would prefer to be insured with the Department of Education's risk protection as currently used by academies (RPA) or remain with the County Council arrangement? A minimum of 141 schools were needed to buy into the insurance through Nottinghamshire County Council to make this a viable option.</p> <p>51 schools voted with the RPA scheme, 50 schools with the council insurance arrangement and 72 schools did not respond. As the required 141 schools minimum was not met Nottinghamshire County Council will not be taking out insurance for maintained schools and instead all maintained school insurance will be through the risk protection as used by academies and run by the Department for Education, this will be affective from 1<sup>st</sup> April 2022. All schools affected by this have been informed, training sessions are taking place 8<sup>th</sup>, 9<sup>th</sup>, 10<sup>th</sup>, and 11<sup>th</sup> March, Head Teachers of a maintained school will have to opt into the RPA arrangement, letters and email reminders will be sent out but if members could disseminate this news, also highlighting these training dates.</p> <p>Marion Clay confirmed letters went out before half term and you must opt in, our understanding is the County Council is unable to move schools across onto the RPA system the school must do it themselves.</p> <p>Tabled report to be sent to Forum members</p>	<p>TG</p>																		
<p><b>5. Confidentiality</b></p>	<p>There were no confidential items.</p>																			
<p><b>6. Date and time of next meeting</b></p>	<table border="1" data-bbox="148 1541 1337 1581"> <tr> <td>Thursday 16 June 22</td> <td>2-4pm</td> <td>Chilwell Secondary School</td> </tr> </table> <p><b>Academic Year 2022-23</b></p> <table border="1" data-bbox="148 1688 1337 1883"> <tr> <td>Thursday 22 September 2022</td> <td>2-4pm</td> <td>Location - TBC</td> </tr> <tr> <td>Thursday 10 November 2022</td> <td>2-4pm</td> <td>Virtual – Microsoft Teams - TBC</td> </tr> <tr> <td>Thursday 8 December 2022</td> <td>2-4pm</td> <td>Location - TBC</td> </tr> <tr> <td>Thursday 23 February 2023</td> <td>2-4pm</td> <td>Virtual – Microsoft Teams - TBC</td> </tr> <tr> <td>Thursday 15 June 2023</td> <td>2-4pm</td> <td>Virtual – Microsoft Teams - TBC</td> </tr> </table>	Thursday 16 June 22	2-4pm	Chilwell Secondary School	Thursday 22 September 2022	2-4pm	Location - TBC	Thursday 10 November 2022	2-4pm	Virtual – Microsoft Teams - TBC	Thursday 8 December 2022	2-4pm	Location - TBC	Thursday 23 February 2023	2-4pm	Virtual – Microsoft Teams - TBC	Thursday 15 June 2023	2-4pm	Virtual – Microsoft Teams - TBC	
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