

MINUTES OF MEETING

Meeting title: Nottinghamshire Early Years and Schools Forum
Date and time: 8th December 2022, 2pm to 4pm
Location: Microsoft Teams – Virtual Meeting

Membership

'A' denotes absence

	Andrew Rossington	Maintained Primary Head Teacher
	Ben Waldram	Maintained Primary Head Teacher
	Steve Border	Maintained Primary Head Teacher
	Helen Roberts	Maintained Primary Head Teacher – (Vice Chair)
	David Phillips	Maintained Secondary Head Teacher
	Halina Angus	Academy Representative
	Anne Hall	Academy Representative
	Neil Holmes	Academy Representative
	James Macdonald	Academy Representative - (Chair)
	Neil Robinson	Academy Representative
A	Daniel Moore	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
	Laura Gapski	PVI - Early Years Group Member
	Karen Richards	PVI - Early Years Group Member
A	Nigel Frith	Church of England Diocese Representative
A	Louise Knott	14-19 Partnership Representative
	Joe Jefferies	Trade Union Representative - NASUWT
A	Jo Myers	Trade Union Representative - UNISON

In attendance:

Cllr Sinead Anderson	Mansfield West
Peter McConnochie	Service Director, Education, Learning and Skills
Karen Hughman	Group Manager, Education Access, Standards and Safeguarding
Irene Kakoullis	Group Manager, Early Childhood Services
Mandy Stratford	Early Years Strategic Manager
Naomi Clark	Senior Finance Business Partner, Children and Families Finance
Mark Needham	Finance Business Partner, Children and Families Finance
Toni Gardner	Assistant Accountant, Children and Families Finance (Clerk)

Unanimous – all members agreed that we aim to set the MFG at +0.5%

Question 4

Modelling shows reducing pupil factors impacts more schools but by a lesser amount. In comparison a gains cap impacts fewer schools by a greater amount. Are you in agreement that if the formula is not affordable the preferred and first option to make this affordable is to reduce pupil factors e.g., the £2 and £4 reductions in the models (in keeping with the acceptable minimum and maximum values)? Are you in agreement with this proposal?

78% of respondents agreed with this methodology. 13% were not sure. 7% did not agree

Unanimous - all members agreed with this proposal.

Question 5

Was for any additional comments these are included in appendix A for forum members to consider.

We have had comments about protecting small schools and James Macdonald pointed out the comment about any unaffordability needs to be spread across many schools and not just a few schools at a higher rate.

Moving onto de-delegation there are a limited list of services that the local authority can continue to operate centrally for maintained schools only. Of the 45 responses 29 were maintained schools

Question 6

Do you agree to the de-delegation of the following in 2023-24?

- Free schools' meals eligibility assessment?
- Support to underperforming ethnic minority groups and bilingual learners?
- Contingency for crisis communications?
- Trade Union Facilities?

For the **primary** sector 5 members are eligible to vote

Free schools' meals eligibility assessment

Agree	Disagree	Abstain
4	0	1

Support to underperforming ethnic minority groups and bilingual learners

Agree	Disagree	Abstain
4	0	1

Contingency for crisis communications

Agree	Disagree	Abstain
4	0	1

Trade Union Facilities

Agree	Disagree	Abstain
4	0	1

For the **secondary** sector 2 members are eligible to vote

Free schools' meals eligibility assessment

Agree	Disagree	Abstain
2	0	0

Support to underperforming ethnic minority groups and bilingual learners

Agree	Disagree	Abstain
2	0	0

Trade Union Facilities

Agree	Disagree	Abstain
2	0	0

David Phillips asked should a decision be made on the trade union facilities if we are waiting an update from Peter McConnochie and Andy Wilson. Peter McConnochie the vote and decision does not need to wait for our update, it was agreed we were lowering the rate for 2023-24 for the maintained sector and existing academies.

Question 7

Do you agree to the de-delegation of the School Improvement Service in 2023-24?

7 members are eligible to vote.

Agree	Disagree	Abstain
6	1	0

The latter part of question 7 asked respondents to rank their preferred value of per pupil de-delegation. Most respondents ranked their first choice as Option 3 to continue with a full-service offer. Second choice was Option 2 and the least preferred was Option 1.

Comments that were received was for the service to continue to be provided and anything other than full interventions would render that service useless, there was also a fear that without this service schools would have an accelerated move towards academy status, and schools who have used this service found the support from the LA very important.

Ben Waldram requested clarification that de-delegation was a pupil amount taken from schools' budget share, Toni Gardner confirmed his understanding was correct.

What if a school that's heading for a deficit, or coming close to a deficit these de-delegation amount could force some schools into a deficit would they have to contribute also?

Peter McConnochie – yes, the vote is for all maintained schools and not just those without a deficit budget, primary maintained members on the forum are there to represent their sector and a vote for de-delegation would have to be for all maintained primary schools.

Steve Border - is there going to be any dispensation for a school that is heading for a deficit, as the local authority don't allow schools to go into deficit?

Naomi Clark – There would be no dispensation, but schools could talk to their finance officers and put in place a deficit recovery plan as well as other options such as loans for schools.

There has been an announcement regards the additional funding which will be paid as a supplementary grant.

Steve Border – Not fair that schools have to put in place a recovery plan or take out a loan for something that is not their fault in the first place, these are small amounts, but they all add up especially when you add in the additional cost for staff this year.

Steve Border - how many primary maintained schools did we still have in Nottinghamshire? Naomi Clark around 166, approximately half of primary schools are still maintained

Helen Roberts - we have support from the county, and it is amazing but some of the things that we do, we pay for the service in addition? For example, performance management that goes through county, costs the school £600 a year is that still going to be an additional charge even with the school improvement de-delegation. Will we still be buying back these services?

Peter McConnochie - yes, these additional charges will still be there. The de-delegation is to maintain the status quo, so if there's something you pay for currently, you would still pay for that in the future. The de-delegation means that the service would exist and the targeted interventions that are required would be provided. We've probably confused it by putting out so many options in many other authorities the approach that's been taken is: - As the grant has gone, we need to de-delegate for this service and no option was given for different levels of service.

Steve Border - there is a general understanding for this service, and I will support it but in these difficult times, my school is looking at an amount of £3,600, cheaper than an academy top slice but I still don't think that we get that much worth back in service, therefore more work is required around this service and how it continues.

David Phillips – appreciate the pressure on budgets, however the principle for this service to be maintained for those schools that most need it, we all need to be able to be in a position where we can contribute, even though we might not be in need of it at that particular time, recognise the fact that our school may put in more than we get back, but somewhere, another school is benefiting from it.

Peter McConnochie – In the new year we will be starting a review of service provision, the shape of the service, what that provides and obtain feedback from schools, the de-delegation vote will continue to be an annual process.

Matt Rooney - How does this work for special schools? I know we're not voting at this point, but given we're funded from the High Needs Block?

Karen Hughman – For special schools there is a separate SEND school improvement employee, that's funded from the High Needs Block not the School Block.

Amounts voted on as follows (1st vote): -

Option	£ per pupil de-delegation	Votes
1	£3.47	No votes
2	£6.13	3 votes
3	£8.79	3 votes

1 member abstained in the vote

A discussion was had on whether the chair as they are from the academy sector have a casting vote in this instance, the chair would have cast a vote for option 3 as this reflected the consultation results. A re-vote was decided as best course of action in case the chair did not have the casting vote.

Amounts voted on as follows (2nd vote): -

Option	£ per pupil de-delegation	Votes
1	£3.47	No votes
2	£6.13	4 votes
3	£8.79	3 votes

Clarification was sort after the meeting from Education & Skills Funding Agency (ESFA) colleagues on whether in this instance the chair has a casting vote? As this was a vote for the maintained sector only and the chair is from the academy sector, they did not have the casting vote, had the chair been from the maintained sector they would have had a casting vote. This means the 2nd vote for the school improvement amount per pupil stands.

RECOMMENDATIONS

That the Forum

1. Notes the content of the report – report noted
2. Undertakes the votes required to recommend the schools local funding formula for 2023-24. The schools local funding formula will be discussed at the Cabinet Member Briefing meeting on 3 January and then final approval on 16 January. The funding formula will be submitted to the ESFA on 20 January 2023 – actioned, results above.
3. Consider and agree the approach to be taken regarding the methodology of mirroring the National Funding Formula (in keeping with the acceptable minimum and maximum values) and reducing factors (if required) to ensure affordability of the 2023-24 formula – actioned, results above.

3b Early Years Consultation Results

Mandy Stratford presented the paper.

There are 7 questions in the consultation, 4 of which are concerning the early years education funding. 152 responses were received.

As a note to members and as discussed in the November meeting the Local Authority still have not received the results of the National Funding Formula consultation from the government this outcome is due out by Christmas according to our Department for Education (DFE) contact.

The shape of the national early years funding and our baseline fund rate is not yet known. The consultation was for the principles of funding rather than the actual figures of the funding.

1st question relates to three and four year olds. There are several options open to the local authority dependent on the outcome of the national consultation however, until guidance has been received, we are unable to finalise our actual rate for

2023-24 except that it is likely that we will be able to sustain a 5p uplift has allocated in the autumn term for 2022-23.

Question 1

Do you agree that Nottinghamshire should continue to allocate an additional 5p per hour per 3 and 4 year-old child in receipt of funding to be reviewed annually and with the understanding that this may be withdrawn in subsequent years?

92 of the respondents said yes 3 said no & 5 were undecided.

Unanimous - all members agreed with this proposal.

Question 2

Do you agree that Nottinghamshire should continue to retain up to and not more than 5% for central expenditure to be reviewed annually?

Nottinghamshire currently retain approximately 3.5% for this

46 of the respondents said yes 27 said no & 27 were undecided.

Unanimous - all members agreed with this proposal.

Question 3 relates to the teachers' pay and pensions grant (TPPG) the national government consultation sought views on the proposal to mainstream the early years elements of the teachers' pay and pension grant into the hourly rate, bringing it in line with the Schools Block and High Needs Block, this is currently paid to schools, in addition to their hourly rate.

Guidance from the DFE - we encourage Local Authorities (LA) to continue to use this funding to support those costs that the grant was originally introduced for. LAs should consider using this supplement to take account of those additional pressures that might face employers where there is a need to contribute into the teachers' pay and pension scheme.

Question 3

Do you agree with the proposal to ringfence the equivalent amounts for TPPG in line with government advice and pay as a funding supplement to School based provision?

38 of the respondents said yes 13 said no & 49 were undecided.

The LA proposes that we go with initial recommendation that we ringfence the equivalent amounts for the TPPG in line with government guidance and pay it as a funding supplement to schools are members in agreement with this?

Comments were asked from early years representatives.

Karen Richards - there's a bit of disparity going on for those who are working in the PVI sectors as opposed to schools, however, this is a political issue, not one for today.

Unanimous - all members agreed with the proposal put forward by the LA.

Question 4 the rate for two year olds which is passed on in its entirety. This is maintained within its allocation and is largely unaffected by the future proposals.

Question 4

Do you agree that Nottinghamshire continue to maintain a 100% pass through rate of 2 year old funding to all providers?

91 of the respondents said yes 3 said no & 6 were undecided.

Unanimous - all members agreed with this proposal.

The following questions are for supplementary funding, the first of these is the deprivation fund for children who are either child in need, child with a protection plan or a looked after child. The current model pays £406 per annum on a termly basis for every child who's currently on a child protection plan and the same for a child who was previously on a child protection plan & 10p per hour EYPP uplift.

Question 5

The LA proposes to adopt option 3 of this question which was ranked the highest with 45 votes.

Unanimous - all members agreed with the proposal put forward by the LA.

Question 6

Do you support the case for change to Option 2 to allow Nottinghamshire County Council to extend the criteria for Inclusion Funding to children under the age of 2, and non-funded two year olds?

63 of the respondents said yes 9 said no & 28 were undecided.

Unanimous - all members agreed with this proposal.

Last question relates to the Disability Access Fund, which is a one-off payment of £800 a year to support children in receipt of disability living allowance. We are not proposing to change the £800 per annum, but to extend the use of the Disability Access Fund to include practice development and training, using some of the DAF underspend to promote staff understanding of children with SEND. This would be reviewed annually.

Question 7

Do you agree to extend the use of DAF to include practice development and training to be reviewed annually?

80 of the respondents said yes 5 said no & 15 were undecided.

Unanimous - all members agreed with this proposal

Mandy Stratford mentioned that the inclusion funding has been consulted on prior to the government's announcement around the national minimum wage. With the increase we will try and match the hourly rate that we allocate for these children to the national minimum wage. This may have to come back to Forum in the Spring when we've done the calculations and modelling to see what this means for the budget moving from the £9.50 to £10.42 per hour.

RECOMMENDATION/S

That the Forum:

MS

1. Consider and agree the implementation of the spending proposals outlined in 6 above from April 2023.

Vote as agreed by members is detailed above

3c DSG Budget Monitoring

Mark Needham presented the paper.

Not a great deal of change from the last meeting which was in November. At period 7 the Dedicated Schools Grant (DSG) is forecasting an underspend of £2M. We have a £1.9M underspend in the High Needs Block and just under £100K in the Early Years Block after the 5p uplift to the hourly rate.

There are risks associated with the forecast in relation to children who have an Education, Health, and Care Plan (EHCP) where a place at a special schools or alternative provider is required in September 2022. Given the high costs of special school's places and the even higher average cost at an alternative provider, the forecast is highly sensitive to changes in numbers of children and overall demand in the sector potentially increasing prices further.

There's still a backlog of EHCP assessments from the September 2022 intake, we're also having problems when the children have been assessed there are no places either in special schools or in the independent sector to place them.

Demand is still there, it might not have materialised in some of the costs that are appearing, budget will continue to be monitored, not only for the current financial year, but also for the planning of 2023-24.

RECOMMENDATION/S

That the Forum:

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

3d Special Schools MFG Disapplication

Mark Needham presented the paper.

The High Needs operational guidance for 2023-24, asks LAs to include a +3% MFG for special schools' budget, this would be based on 2021-22 baselines, therefore MFG amount goes over the two years.

In the past the County had different top up amounts for our special schools, so an HN2 child would attract different top up amounts depending which school they were placed at, the top up amounts were based on the schools' historic budget. The LA along with all 11 special schools agreed we would try and equalise these top up amounts, understanding this would take time.

We have managed to equalise the top up amounts over the last few years, with the funding received last year and an increase of 2.2% to top up amounts the LA have managed to match the lowest outlier top up amounts. The way that the MFG works it would reverse this work and the top up amounts would be below the lowest outlier. The three schools that are paid at a higher rate is St. Giles, Yeoman Park and Fountaindale.

Nottinghamshire top up amounts go up on a ratio, HN1 is the lowest then a percentage increase is used for HN2 etc.

We have met with the special schools' trust board and discussed our proposal. The LA would like to continue to equalise these top up amounts therefore propose to submit a disapplication to the ESFA to not give the 3% MFG to those schools that are already paid a higher top up amount? We would however increase top up amounts so that all schools match Yeoman Parks' top up, meaning that 10 of our 11 schools would be paid at the same rate, with only 1 outlier (Fountaindale).

James Macdonald – when would all schools be on the same rate as the 1 outlier left?

Mark Needham - unfortunately, Fountaindale is a big outlier and would take quite a few years to match their top up, currently they are funded over 20% higher than the remaining schools.

Jamie Hutchinson – The levelling up of top up funding started in 2017-18 and schools were advised there was money to do this, this year we were advised that the supplementary grant was needed to level up, special schools reluctantly agreed so some schools received no increase. Now we are looking at not implementing the +3% MFG and though we support this, there is a feeling this could have been done slightly different.

Matt Rooney – the maintained perspective agree with Jamie Hutchinson special schools didn't benefit from the supplementary grant as main schools did as it was used to level up. In the past negative MFG was allowed so some special schools' budget decreased, my budget has not changed in the last 5 to 6 years and before that it was reducing due to the negative MFG.

All special schools believe it's right to equalise all budgets, so the first recommendation I would support, the second recommendation if we are going to acknowledge and approve ongoing commitment, what does that look like? A commitment to do what by when to what level? Therefore, for the 2nd recommendation I'm not sure what we're approving, we need a plan as schools cannot continue to miss up during this levelling up.

Karen Hughman – understands the points made, there is a definite commitment to level up schools top up, we all acknowledge it isn't fair that a child on a specific band attracts different allocations, it's about the need of that child not about which school they attend. There isn't a time scale, but a reasonable ask from us, this could be something we could work towards this year; it would be impossible to state something now. The second recommendation is requesting...do we still have that philosophy and belief from forum members to level up?

Mark Needham – We only know how much the High Needs Block is in the December of each year, which causes difficulties to put together a long medium-term plan but we will try.

RECOMMENDATION/S

That the Forum:

1. Approve the submission of the disapplication to not apply a 3% MFG increase to three of our special schools.

Unanimous - all members agreed

	<p>2. Acknowledge and approve the ongoing commitment to address the historic funding differences and continue to move towards an equitable and fair funding position.</p> <p>Chair requested this proposal be postponed to the February meeting where there may be a firmer, clearer direction of travel in place. There is no doubt forum members want to see equality on the top up amounts for special schools.</p>	<p>PMc/KH/ MN</p>						
	<p>3e 2023/24 Technical Adjustment / MFG Exclusion</p> <p>Naomi Clark presented the paper.</p> <p>This is a continuation of the disapplication that we approved last year – in the Authority Proforma Tool (APT) we want to make technical adjustments to exclude certain factors from the Minimum Funding Guarantee (MFG) where a school is no longer eligible for the exceptional premises factor to ensure they are not protected for these amounts within the MFG.</p> <p>RECOMMENDATION/S</p> <p>That the Forum:</p> <ol style="list-style-type: none"> 1. Notes the content of the report – report noted 2. That School Forum members approve the Technical Adjustment disapplication <p>Unanimous - all members agreed</p>							
<p>4.</p>	<p>Any Other Business</p> <p>There was no other business to discuss.</p>							
<p>5.</p>	<p>Confidentiality</p> <p>There were no confidential items.</p>							
<p>6.</p>	<p>Date and time of next meeting</p> <table border="1" data-bbox="148 1568 1334 1646"> <tr> <td>Thursday 23 February 2023</td> <td>2-4pm</td> <td>Virtual – Microsoft Teams</td> </tr> <tr> <td>Thursday 15 June 2023</td> <td>2-4pm</td> <td>In person – Location TBC</td> </tr> </table>	Thursday 23 February 2023	2-4pm	Virtual – Microsoft Teams	Thursday 15 June 2023	2-4pm	In person – Location TBC	
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