

# MINUTES OF MEETING



**Meeting title:** Nottinghamshire Early Years and Schools Forum  
**Date and time:** 10<sup>th</sup> November 2022, 2pm to 4pm  
**Location:** In person – Council Chamber County Hall NG2 7QP

## Membership

*'A' denotes absence*

	Andrew Rossington	Maintained Primary Head Teacher
	Ben Waldram	Maintained Primary Head Teacher
A	Steve Border	Maintained Primary Head Teacher
	Helen Roberts	Maintained Primary Head Teacher
	David Phillips	Maintained Secondary Head Teacher
	Halina Angus	Academy Representative
	Anne Hall	Academy Representative – (Vice Chair)
	Neil Holmes	Academy Representative
	James Macdonald	Academy Representative - (Chair)
A	Neil Robinson	Academy Representative
	Matt Rooney	Maintained Special School Head Teacher
	Jamie Hutchinson	Academy Special School Head Teacher
	Colin Barnard	Governor Maintained School Representative
A	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
	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:***

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
Jason Gooch	Finance Business Partner, Children and Families Finance
Toni Gardner	Assistant Accountant, Children and Families Finance (Clerk)

1.	<p><b>Welcome</b></p> <p>James Macdonald welcomed members to the meeting</p>	
	<p><b>Apologies</b></p> <p>Apologies were received from Steve Border, Neil Robinson, Nigel Frith, Louise Knott, Andy palmer and Colin Pettigrew. We have three resignations Dr Philip Smith, Fiona Jones, and Jacquie Sainsbury.</p>	
2.	<p><b>Minutes – 16<sup>th</sup> June 2022</b></p> <p>James Macdonald advised members that the response for the Direct Formula Consultation has been submitted on behalf of the forum unfortunately the website did not allow for a copy to be saved. Minutes approved as accurate</p>	<b>ACTION</b>
	<p><b>Minutes – 22<sup>nd</sup> September 2022</b></p> <p>Minutes for the meeting are for reference only as the meeting was not quorate a vote would need to be taken for all papers with a vote.</p>	
3.	<p><b>3a Election of Chair &amp; Vice Chair</b></p> <p>James Macdonald put himself forward as chair, this was voted on and all members approved. Helen Roberts was nominated as vice-chair by James Macdonald all members agreed</p>	
	<p><b>3b Review of Forum Membership &amp; Constitution</b></p> <p>Toni Gardner presented the paper, with the recent resignation the table on page 2 point 5 vacancies should be as follows: -</p> <p>4 Academy representatives &amp; 3 Governor representatives</p> <p>RECOMMENDATION/S</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. Agrees to the adjustment to membership as set out in paragraph 4 of the report – all members agreed</li> </ol>	
	<p><b>3c Early Years Hourly Rate 2022-23</b></p> <p>Mandy Stratford presented the paper. The purpose of the report is to agree to increase the hourly rates by 5p for every funded 3 and 4 year old for 2022-23. The rationale behind this is the in year predicted underspend of £563k. Summer and Autumn top up will be actioned as a lump sum before Christmas and then for Spring 2023 the hourly rate will be paid at the increased rate.</p> <p>RECOMMENDATION/S</p> <p>That the Forum:</p>	

<ol style="list-style-type: none"> <li>1. Accept and agree the recommendation to uplift the hourly rate for three and four year olds by 5p per hour per child.</li> <li>2. To allow Early Childhood Services to make one lump sum payment for all children in attendance in the Summer and Autumn Terms 2022 in late Autumn term</li> <li>3. To allow Early Childhood Services to uplift the hourly rate by 5p on children attending in the Spring 2023 term.</li> </ol> <p>All three recommendations were approved unanimously by members.</p>	
<p><b>3d Trade Union Paper</b></p> <p>Peter McConnochie presented the paper.</p> <p>Due to the current carry forward of this budget it is proposed that the de-delegation rate is reduced by 70% for 2023-24. This would be 47p per pupil for primary and 51p per pupil for secondary for existing members.</p> <p>James Macdonald - should the reduce rate not be the same for new members as an incentive to join or at least a rate in between the two.</p> <p>Joe Jefferies – Normally the union would not welcome a reduction in per pupil, but with the desperate cash situation this reduction will hopefully be affordable even in these strained times and I agree with James that this might be an incentive for new members. No trade union or individual benefits financially from this fund, money goes directly to the school or academy that releases individuals.</p> <p>James Macdonald – the benefit of this is that it speeds up the process, you must wait for a regional representative as opposed to a local representative and speed and time management is better especially in difficult situations. All schools as possible are encouraged to join, having bought into it ourselves we saw a massive reduction in time with some difficult cases to resolve – but consideration for new members and price I think needs to be re-visited and picked up at the next meeting in December</p> <p>David Phillips – Documents state that the replacement salary cover costs will be based on the maximum of main pay with no NI or superannuation allowance, it's not right when a school releases a member of staff to undertake their union duty and a school be subsidising this, schools should be getting full cost.</p> <p>Peter McConnochie has had a brief conversation with Andy Wilson as David Phillips had submitted this question just prior to the meeting. The budget is not intended to cover the full cost, but a contribution towards the replacement cost of that member of staff, this has always been the case. There is going to be a review and a piece of work carried out for the trade union fund.</p> <p>James Macdonald – When the review is undertaken, please can colleagues consider that because it's always been done that way, doesn't mean it always has to be done that way.</p> <p>RECOMMENDATION/S</p> <p>That the Forum:</p> <ol style="list-style-type: none"> <li>1. Note the financial contents of the report – financial contents noted</li> </ol>	<p>AW/PM</p>

	<p>2. Note the proposed reduction to the de-delegation rate and recommend that item 3f Schools National Funding consultation is amended to reflect this – noted and agreed.</p>	
	<p><b>3e DSG Budget Monitoring</b></p> <p>Mark Needham presented the paper.</p> <p>Underspend is currently at £2.6M, main areas is £2M in the High Needs and £0.562m in Early Years.</p> <p>High Needs £2M underspend is on the independent specialist provision, where an additional £6.3M was put into this budget to cover previous overspends, increases in cost and demand. With the start of the new academic year and a backlog of EHC assessments we will continue to monitor this budget closely.</p> <p>Underspends in the Inclusion Services and Partnership team is due to vacant posts and less travel costs, offset by an overspend on places in other local authorities for special schools, The income and expenditure to and from other LAs tend to go on for several years before final settlement.</p> <p>Early Years pupil numbers have settled down after the pandemic and calculations are back to the normal January census data. This has allowed colleagues to better predict both funding and the amounts paid out to providers. We have already discussed and voted on increasing the hourly rate for 2023-24 which will be funded from the underspend from the Early Years block.</p> <p>Reserve was £7.329M at the start of the year, taking into account the carried forwards that were approved, additional payment to the Early Years. Forecast is at £11.536M, £5.669M of this is earmarked for growth in schools. James Macdonald – the aim to have 1% in reserve is almost there. Mark Needham – We will have more growth fund this year and colleagues will soon start discussions with schools on where it will be spent.</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> </ol>	
	<p><b>3f 2023/24 Schools National Funding Formula Consultation</b></p> <p>Naomi Clark presented the paper.</p> <p>1<sup>st</sup> table under section 2 shows the funding being received by the Local Authority (LA) the left is what we received for 2022-23, on the right the 2023-24 units of funding but using October 2021 census. Growth fund is not yet included for 2023-24 but central government is using same methodology to allocate this grant.</p> <p>Comparing last year and this year, excluding growth we are to receive and increase in funding of 5.1%, however it's worth noting that they have rolled in the schools' supplementary grant into the National Formula, there is information on how this has been rolled into the base rate and if anyone is interested to let us know.</p>	

Point 3 summarises the changes to the National Funding Formula (NFF), some key changes here. Point 4 operational guidance has been updated from last year, Minimum Funding Guarantee (MFG) can be set from 0 to 0.5 per pupil and there is a list of compulsory and optional factors, sparsity is now a compulsory factor, though we included it in the 2022-23 budgets then it was still optional.

Another change to the NFF for 2023-24 mainly for LA's who don't mirror the NFF unit amounts, these LA's must be 10% closer. For those LA's that have been mirroring the amounts like Nottinghamshire have a little flexibility in that we can have a 2.5% variation and it will still be seen as mirroring the NFF. Appendix B shows Nottinghamshire's allowable amounts, to the left is the NFF including area cost adjustment for Nottinghamshire, then the minimum amounts we can allocate and finally the maximum.

This has allowed the LA to produce different options to try and avoid having gains cap if the formula is unaffordable.

The excel spreadsheet will be part of the consultation and this shows all the data used, pupil numbers are from October 2021 census so allocation will change depending on the school's pupil numbers from October 2022 census which we receive end of autumn term in December.

There are 5 models all which are indicative, the first illustrates budgets if formula is affordable with 0.5 MFG and factors at NFF levels. Models 2 & 3 spreads the pain of any unaffordable amounts across 262 schools out of 329, model 2 illustrates a shortfall of £600k and model 3 illustrates a shortfall of £1m, actual unaffordability will not be known until January when we have pupil numbers, characteristics, and the Authority Proforma Tool (APT) is completed. These two models reduce the unit amounts per factor, models 4 & 5 introduces a gains cap, affects less school however the (percentage) loss is greater to some schools.

After consultation is open, we are looking to arrange briefings for schools to attend so that we can explain the models, the impact, and a chance to ask any questions.

Point 6 details the Minster Minimum Per Pupil (MPP) disapplication request, as the school is dis-advantaged due to the small number of primary pupils in their school. This a continuation of the disapplication approved in 2020-21, 2021-22 and 2022-23 and is bought again for approval for 2023-24

Point 7 details the school improvement grant, there's quite a lot of information here as it incorporates the report previously bought to Forum in September. Peter McConnochie advised it would be part of the consultation and detailed the ceasing of the grant for the LA all part of the academisation programme set out by central government.

Various options have been worked up all which are detailed in the report, beyond this year a further detailed review will be carried out and this needs to start as soon as possible.

Point 8 details the questions that we are proposing to ask in the consultation. Members were asked to encourage their sector to respond to the consultation. The questions were presented in detail.

This report was written prior to the trade union report therefore values are incorrect, but these will be updated for the consultation to amounts agreed earlier, 47p for primary and 51p for secondary.

School improvement de-delegation amounts were discussed and the level of service each amount what deliver.

Consultation timetable, point 9 members were taken through this.

### RECOMMENDATION/S

That the Forum:

1. Offers it views on the options for addressing an affordability gap
2. Agrees with the LA submitting a disapplication request for Minster School MPP calculation – All members agreed.
3. Consider and agree the proposed timetable for the schools funding consultation – no changes, both the chair and vice chair happy to attend the briefings to aid this process.
4. As representatives of the EY & School forum actively encourage colleagues in the sector / other schools to engage in the consultation – An email will be sent to all Heads & Chair of Governors to draw their attention to the consultation.

James Macdonald – can I confirm if it's one response per school in a trust or one response from a trust on behalf of the schools however many they have.

Toni Gardner – it's one response per school in a trust so if there are 10 schools each one can submit a response.

Ben Waldram – questions are written in a way that's not easy to understand for head teachers, I'm finding them unclear and not sure what they are asking, I speak for other heads that I have spoken to, and they feel the same. Questions need to have impact and meaning for a school, Heads are so busy they wouldn't have time to read and understand it all and this could be a reason for low responses.

Question must be clear, this is the question this would be the impact if you choose this option, this is the impact if you choose the other option.

James Macdonald – on page 3 of the report there is a summary of the impact each model has on schools, and the excel spreadsheet does show individual schools we could look at the others.

Ben Waldram – if not all schools agree with a question would what we do be different, Naomi Clark – what ever is agreed for a question it would have to be the same for all schools.

Helen Roberts – schools get so many emails could something be put in the subject to suggest that this is going to impact your budget.

### **3g 2023/24 Early Years Consultation**

Mandy Stratford presented the paper.

National government consultation has taken place to review the early years funding formula, this closed 16<sup>th</sup> September. Nottinghamshire did take part however outcome is not yet known, we are expecting the outcome to be announced in December although they are not proposing any changes to the overall amount of funding that goes through the formula, they are changing the way they use the data to calculate how each LA's base rate is set.

Nottinghamshire currently do not know their base rate for early years, so we are working with an X and a Y at this stage. Until guidance is received from government, we cannot finalise the actual hourly rate going forward, except to say that it's likely that we will be able to continue to sustain the 5p that we alluded to earlier in the hourly rate going forward.

This additional 5p will need to be reviewed annually and may have to be withdrawing if it is not sustainable.

Early indications are that Nottinghamshire will remain on the minimum funding floor rate for all 3 and 4 year olds.

Each question was detailed and talked through with members.

We wish to extend the criteria for inclusion fund to unfunded children under the age of two, only eligible 2 year olds can access the 15 hours and inclusion fund but we recognise that there are younger children with severe and complex health and special educational needs and disabilities, and we want to be able to try and support some of those families to access childcare places.

We also want to extend the use of our disability access fund to include practise development and training with the sector. The disability access fund is attached to children who are in receipt of DLA and is traditionally underspent in most LA's we wish to use this more creatively and up skill the sector to meet the needs of our most vulnerable children.

The Teacher Pay and Pension grant, currently this is received into the LA as a separate grant for school-based provision from 2023-24 this is going to be rolled into the Early Years Block and allocation for LA's. Department of Education (DfE) guidance encourages LAs to continue to use this funding to support the costs for which the grant was originally introduced and to consider using a supplement to take account of the additional pressures some providers may face to pay employees contributions for teacher pay and pension.

We are therefore proposing that Nottinghamshire ringfences the equivalent amount for Teachers Pay and Pension in line with government advice and pay this as a funding supplement to school-based settings.

There was review of the deprivation fund, a working party made up of representatives from the sector have come up with some different options for this. It traditionally funds to support children in need or those with a child protection plan with social care. We hear from the sector that there is a need for those children that are on the cusp of that to be provided with additional support.

We will look at how we can identify those children who are particularly at risk and not meeting expected levels of development so that we can offer some additional funding to settings to provide for these children.

Government consultation is indicating that the teacher pay and pension grant is mainstreamed into the block. It doesn't actually make any difference to the basic hourly rate that's paid out to providers, everybody will keep the same hourly rate the difference is that the supplement is in recognition that there's a 23% contribution made by schools for teachers pay and compare to the 3% paid by private and independent sector, hence the guidance to ringfence this allocation.

A question was asked about the deprivation funding and inclusion funding, Irene Kakoullis advised the main difference is the Deprivation Fund is 100% funded through the Dedicated Schools Grant (DSG), the inclusion fund also uses LA money, given us more flexibility to include children who are funded.

	<p>RECOMMENDATION/S</p> <p>That the Forum:</p> <ol style="list-style-type: none"> <li>1. Consider and agree the proposed questions to be included in the consultation for early years funding rates for 2023-2024 – All members agreed</li> </ol>										
<p>4.</p>	<p><b>Any Other Business</b></p> <p><b>Special Schools 2023-24</b>  Peter McConnochie mentioned that special schools in Nottinghamshire have had different rates per banding and over the past few years there has been an agreement to bring everyone to the same rates who were significantly behind. ESFA Guidance for 2023-24 is requesting a 3% Minimum Funding Guarantee (MFG) for all special schools which potentially could undo some of this work.  A report will be presented at the December meeting seeking approval to disapply the MFG across some of the special schools in 2023-24.</p> <p><b>School Holidays</b>  James Macdonald – there is confusion about when we come back in August 2023 there was a calendar out showing the admin day was the 30th of August with students coming back on the 31st of August which has since been removed and replaced with one showing the admin day on the 4<sup>th</sup> September with pupils returning on the 5<sup>th</sup>.  Karen Hughman what is currently on the County Council website is correct. To confirm date.</p> <p>A discussion was had about number of weeks in a PVI and number of weeks in a school setting – in the past the same annual allocation was given to PVI’s and schools however, the hourly rate was different as we paid on different number of weeks – this was rectified following instruction from the DfE, now annual rate, hourly rate and weeks are the same for PVI’s and school settings, 38 weeks.  Karen Richards – most PVI’s are open 50 weeks a year.</p> <p>Next two meetings are on Teams as virtual meetings – June 2023 meeting possibly back at County Hall</p>	<p><b>KH/PM</b></p> <p><b>TG</b></p>									
<p>5.</p>	<p><b>Confidentiality</b></p> <p>There were no confidential items.</p>										
<p>6.</p>	<p><b>Date and time of next meeting</b></p> <table border="1" data-bbox="148 1713 1337 1827"> <tr> <td>Thursday 8 December 2022</td> <td>2-4pm</td> <td>Virtual – Microsoft Teams</td> </tr> <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 8 December 2022	2-4pm	Virtual – Microsoft Teams	Thursday 23 February 2023	2-4pm	Virtual – Microsoft Teams	Thursday 15 June 2023	2-4pm	In person – Location TBC	
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