

MINUTES OF MEETING



**Nottinghamshire
County Council**

Meeting title: Nottinghamshire Early Years and Schools Forum
Date and time: 9th November, 2pm to 4pm
Location: Microsoft Teams – Virtual Meeting

Membership

'A' denotes absence

A	Andrew Rossington	Maintained Primary Head Teacher
	Steve Border	Maintained Primary Head Teacher
	Helen Roberts	Maintained Primary Head Teacher – (Vice Chair)
	Nadeem Shah	Maintained Primary Head
	David Phillips	Maintained Secondary Head Teacher
A	Halina Angus	Academy Representative
	Anne Hall	Academy Representative
	Neil Holmes	Academy Representative
	James Macdonald	Academy Representative - (Chair)
A	Neil Robinson	Academy Representative
	Daniel Moore	Academy Representative
A	Ella Tuxford	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
	Louise Knott	14-19 Partnership Representative
	Joe Jefferies	Trade Union Representative - NASUWT
A	Jo Myers	Trade Union Representative - UNISON

In attendance:

Cllr Tracey Taylor	Cabinet Member for Children and Families
Cllr Sinead Anderson	Deputy Cabinet Member for Children and Families
Colin Pettigrew	Corporate Director of Children and Families
Peter McConnochie	Service Director, Education, Learning and Skills
Lynda Poole	Group Manager, Education, Learning and Inclusion
Karen Hughman	Group Manager, Education Access, Standards and Safeguarding
Naomi Clark	Senior Finance Business Partner, Children and Families Finance
Sarju Sheta	Finance Business Partner, Children and Families Finance
Andy Wilson	Senior HR Business Partner
Toni Gardner	Assistant Accountant, Children and Families Finance (Clerk)

1.	<p>Welcome</p> <p>James Macdonald welcomed members.</p>	
	<p>Apologies</p> <p>Apologies were received from Andrew Rossington, Halina Angus, Neil Robinson, Ella Tuxford, Irene Kakoullis, and Mandy Stratford. Apologies accepted.</p>	
2.	<p>Minutes – 21 September 2023</p> <p>James Macdonald informed members that for the next meeting a paper would be written and brought to the Forum regards membership for Academy trusts. It is currently limited to one member. We've reached a situation where one trust has put forward a governor member and an academy representative, which would be against the current constitution. This has been a problem in the past and now feel due to the current landscape that one member per trust rule may need to be changed to a maximum of two.</p> <p>1st page the following to be amended – David Phillips - Maintained Secondary Head Teacher substitute sent Kirsty Lowde A copy and paste error to remove 'substitute sent Kirsty Lowde'</p> <p>Minutes approved as accurate.</p>	<p>ACTION</p> <p>JcM/ TG</p> <p>TG</p>
3.	<p>3a DSG Financial Monitoring Period 6 2023/24</p> <p>Sarju Sheta presented the paper.</p> <p>The purpose of this report is to provide the Forum with a summary of the dedicated schools grant financial position for the current financial year, period 6.</p> <p>What we receive and allocations detailed as per the report.</p> <p>High Needs Block is reporting a £0.174 overspend, Early Years an underspend of £0.112. High Needs Block, major contributing variances were detailed.</p> <p>are as follows: -</p> <p>Overspend on the independent specialist provision £0.713m – start of new academic year and a backlog of EHCPs. The forecast reflects actual placements made to date, with growth returning to an unprecedented increase in the number of placements being processed. Colleagues have confirmed that this is not a temporary spike, lack of special school places have also influenced referrals.</p> <p>Underspend in the Inclusion Service £0.227m - mainly due to vacant posts and less travel.</p> <p>Underspend in the partnership team £0.08m - due to delays in appointments to new posts.</p> <p>Forecast is highly sensitive to changes in number of children and overall demand in the sector, with potentially increasing prices also having an impact.</p>	

Early years block hasn't changed and remains the same as last meeting. Difference in funding is due to how LAs are funded, 5/12 on January 23 census and 7/12 on January 24 census Nottinghamshire pay out on actual pupils termly. Appendix A shows early years block in detail.

A meeting has taken place with James Macdonald and Helen Roberts after the last meeting to take them through the intricacies of the DSG (Dedicated School Grant)

Matt Rooney – Appendix A on page 2. The impact of spending quarter of a million less on inclusion services and £80,000 less on targeted support.

What happens to those children? What's happening to that service level? and is this causing an impact on the increase of independent non maintained allocation?

Is it pushing the pressure further through the system? Might we be best challenging ourselves to spend that quarter of a million to save some money further down the line?

Karen Hughman/ Peter McConnochie - we would need to have a clear breakdown of what the under spend is in relation to. It's likely to be the staffing challenges in terms of recruitment. It's not that the funding hasn't been allocated, it's where there's difficulties recruiting and retaining staff in certain areas, something to review.

If underspend is predicted in targeted HLN funding, something that should be looked into further. Budget has been increased for this to meet the needs of children with and without EHCPs.

Enhanced provision some of that under spend is also around the fact that it takes some time for schools to set up the staffing etcetera. So, you don't get a full year in the first year of opening any new units, there are two more primary units in train at this minute.

Further discussion was had around the underspend with a hypothesis that the underspend is caused by an increase in budget not being spent as opposed to a previous budget being under spent.

Laura Gapski – would also be a good time for forum to unpick and gain a greater understanding of the early years block. There's reference to an early year's underspend, how might we utilise. Appreciate a bit of clarification before information is disseminated to the sector.

**KH/P
M/SS**

Toni Gardner – will feed this back to Jason Gooch to bring an answer back to the December meeting.

Karen Richards – an understanding why we are predicting an overspend with the supplementary grant, would we not just allocate what we receive in per child?

JG

Toni Gardner – not 100% sure but believe the supplementary grant must be passed out at the rate received by the LA, it's the numbers the grant has been based on. Will feed back to Jason Gooch who can explain at the December meeting.

JG

RECOMMENDATION

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

3b Trade Union Facilities

Peter McConnochie introduced the paper.

Last year, there was a sizeable underspend that had built up a reserve. A decision to use some of that underspend and reserve, to reduce the de-delegation amount considerably, using the lower rate as an opportunity to extend and bring in other academies into the scheme alongside maintained schools for the centralised trade union facility. Intention was always this would be a one-year reduction to revert to previous rates the following year.

There have been discussions to review the mechanism and the funding arrangements around the trade union facilities. And the level of funding that was provided back to education settings for the release of staff to cover these duties.

Trying to understand who the decision makers were within that, who has the responsibility for setting the levels of funding that are given for the release of staff and whether that was school's forum, the local authority, or a trade union decision,

The local authority took that away and through consultation with trade unions, the long-standing funding used to release staff time required reviewing. The review was brought back to the forum, and it was recommended that funding reflect a teacher on UPR 3. This raised further questions is this providing full cost? Should it provide full cost? And what was the fair way of applying this?

Process needs to be kept as simple as possible to administer and manageable for colleagues within HR who do this on behalf of schools and trade unions.

Financial modelling has been worked on, where reserves are used over a period keeping a level of financial stability, so not to keep changing the de-delegation rate. Agenda of Academisation will continue to diminish the maintained de-delegation amount over the long term.

One of the challenges was understanding if the funding is meant to cover the actual staff costs or cover of that staff. There's ambiguity around supply cover for these staff members. Report today gives Forum three options and the implications of those options in terms of the budget for trade union facilities. This will not go out to schools for a preference but a decision for Forum, the local authority, and trade unions collectively.

Options and impact were discussed.

Joe Jefferies - The most important principle is schools are reimbursed at a reasonable rate and fund is kept viable for the next several years. It needs to be fair on heavily pressed school budgets, but in line with DfE guidance as mentioned in the report. Paying out based on full salary and on costs might seem attractive, it's just not affordable without having to increase the per pupil amount, with the prospect of annual increases.

Covering on costs is funding employers a slice of National insurance and superannuation, this for trade unions is not justifiable in these circumstances, going against both the spirit of the fund, and the DfE guidance on cover for the staff release time. Need to be careful on the administration of the fund and keeping this as simple as possible using a single salary amount.

Table on page 2 option 1 MPR3 should read UPR3.

David Phillips – appreciates the work carried out by the local authority separate conversation have taken place. Schools make sure union staff are available for work on behalf of union members right across the authority.

It is unreasonable for schools to advise parents that their children's lesson will be taken by a cover teacher every week. Schools support the work these teachers carry out and make every arrangement possible to timetable accordingly to allow for this work to be carried out.

A clear principle states there should not be an undue burden on either school, the local authority, or unions. The burden upon Chilwell when paid at M6 is a loss of around £11,413 each year, too much of a burden for one school to carry, it's a shared responsibility for everyone. If de-delegation rate is an affordability problem, it's not for one school to cover that affordability issue.

In terms of keeping things simple, the numbers of union reps being freed up is just into double figures. A need to deal with accurate figures, whether it's M6 or UPR 3, these are random figures it's not unreasonable for schools who are playing their part in making sure that the service is available and that union groups are able to do their work, lose out.

Peter McConnochie understands position presented hence the reason the paper has been re-tabled, Nottinghamshire have always tried to keep de-delegation amount low, after speaking to various other local authorities the de-delegation amount for trade union in some authorities is as much as £5 per pupil.

There is no guidance from the DfE regards what that amount should be. It's left to, local authorities, Forum, and trade unions to make an effective decision for a pooled system, for their area. Historically Nottinghamshire charged a rate of around £3.50 up until two or three years ago. Underspend accumulated on budget, and to attract academies to buy in this was used to reduce de-delegation rate.

It is a scheme that works well for our maintained schools and a considerable number of academies. If union involvement is required those issues raised need to be dealt with quickly, with easy access to trade union reps. A concern that an increase in rate will reduce the buy in from these academies.

The reason why the scheme is difficult to administer is not down to anyone person. It is getting information from the unions and from schools themselves.

David Phillips – It needs to be stressed that schools must put in their reimbursement cost, if the schools doesn't engage with the process, then they won't be reimbursed.

James Macdonald – when does authority need decision.

Toni Gardner – as this is a de-delegated amount it would need to be part of the school funding consultation due out next week for all schools to respond to and for forum to vote on at the December meeting.

A conversation was had around academies buy back those that haven't bought back have probably some other arrangements within their trust, members were advised this could be the case but currently buy back from academies is around £60,000 projecting forward we estimate at least £30,000 to £40,000 therefore an important element for the trade union facilities pot.

A collective decision was requested from members so that it could be included in the school funding consultation.

James Macdonald – in making this decision we need to consider the impact of finances across all Nottinghamshire children, not just an individual school. We must consider the sustainability of the fund also. Proposal from the three options was requested.

David Phillips proposed option 3 (full cost recovery), this was 2nd by Nadeem Shah

Vote for option 3: -

Agree	Disagree	Abstain
10	1	3

No other proposals for option 1 or 2 was made by members or LA officers.

Option 3 full cost recovery at a rate of £2 per pupil agreed to be part of the 2024-25 school funding consultation.

3c 2024-25 Schools National Funding Formula Consultation

Naomi Clark presented the paper.

Purpose of this report is to provide members with a summary of the modelled indicative school budget allocation, (Dedicated Schools Grant) DSG block allocation and a look at the consultation to schools.

Table in point 2 was explained. Members were informed this was still based on October 22 pupil numbers, therefore indicative. Final allocation based on October 23 pupil numbers would not be known until December. At this time growth allocation will also be advised, key figures to look at is the primary and secondary unit of funding which has a 5% increase.

Error on allocations given in July, and the updated allocations in October from the ESFA – LA's have been notified this was an error in their original calculation, but it doesn't affect the total core funding for schools.

Key changes to National Funding Formula (NFF) 2024-25 as point 3 and compulsory factors as listed in point 4 were explained.

There's a change formula wise for growth funding and falling roles, falling roles will not affect Nottinghamshire as we have no falling roll pot.

Factor rates moving at least 10% closer to the NFF and what is seen as mirroring these amounts was explained – Nottinghamshire for 2023-24 mirror the NFF factors so are within this range. NFF, minimum and maximum rates per factor are detailed in appendix A.

Financial modelling, model 1 to 5 were explained – models as last year, not looking to introduce a gains cap but if unaffordable look to reduce factors and reduce Minimum Funding Guarantee (MFG) unaffordable amount of £2M used as this was the approximate unaffordable amount in 2023-24 will not know if formula is affordable or the unaffordable amount till allocation confirmed in December and numbers crunched.

Excel spreadsheet that is included with the consultation and how it works was explained.

James Macdonald - given the fact we've got a substantial carry forward overall around £15M, and a possible shortfall of £2M could we not ensure formula is affordable and proceed with model 1 then there's no need to consult?

Naomi Clark – Need to remember a large part of the surplus is earmarked for growth as agreed by Forum, but a question can be included in the consultation.

Option to be discussed further in December with a question included in the consultation.

Annual request to submit disapplication for Minister's Minimum Per Pupil (MPP) this is the method of how the MPP is calculated within the formula and how it disadvantages the Minster school because they have a disproportionate number of primary to secondary pupils. The NFF has not been changed to rectify this, so a disapplication is required and a vote to submit this to the ESFA is within the recommendation.

James Macdonald – all schools need to be treated fairly and if there are no changes in the NFF to address this, forum is happy for the application to be made.

Consultation questions were discussed, and members advised that finance will be carrying out presentations to schools to encourage engagement with the process to explain the changes within the NFF and answer any questions for them to complete the consultation.

Daniel Moore – In favour of using a shortfall from reserves, we require a health warning on this, as a one-off injection schools may experience a drop the following year, as it would be unsustainable from reserves.

Naomi Clark – Will work in a warning for this question.

James Macdonald - only text to be added to consultation timetable are the two presentations that have been scheduled.

RECOMMENDATION/S

That the Forum:

1. Offers its views on the options for addressing an affordability gap – views were offered.
2. Agrees with the LA submitting a disapplication request for Minster School MPP calculation.
3. Consider and agree the proposed timetable for the schools funding consultation – agreed with inclusion of presentation dates.
4. As representatives of the EY & School forum actively encourage colleagues in the sector / other schools to engage in the consultation – agreed to encourage schools, but also highlight the risk of using reserves as it would be unsustainable a one-year injection.

4. Any Other Business

Peter McConnochie / Karen Hughman – High Needs Block 2024-25 supportive of schools and recognising the rise in children experiencing autistic spectrum condition, children with communication and interaction difficulties - what we might do as a local area to support with that?

For next year need to factor in support for these schools, begin to take some action using some of the budget that's available within the High Needs Block currently, requesting views from the Forum.

An increase in these pupils, in 2019 mainstream schools were managing 4,229 children with those kinds of needs, in 2023 this has risen to 5,912. An increase of 39.8%, having an impact on the number who are coming through into specialist provision. An additional 322 specialist places, depending on where these children are, in a maintained schools costing approximately £8M in independent, non-maintained specialist provision, approximately £17M.

Positive project in 2022 around early identification of autism undertaken by NCC staff using some of the DfE funding demonstrated parents waiting for diagnosis, becoming very frustrated, schools unsure the best ways to support these children. Children going through for HLN and perhaps Education, Health, and Care Plans (EHCP).

The project placed children early on the pathway, making a significant difference. Children, schools, and parents happier with the support put in place.

Due to this and working with in the inclusion teams looking to put together a paper that will be shared with the relevant Members to request an increase our CNI team by 4 teaching staff to start using that early intervention process and supporting schools to support those children and find ways forward for them.

Laura Gapski supports the idea, rightfully pointed out the benefit from early intervention, children start their education pathway in early years settings. A huge burden for settings who also need specialist support to help these children with their language, communication needs, sensory needs and behavioural needs as schools struggle with. Children requiring 1 to 1 support, settings not being able to provide this and therefore are being turned away from nursery education. With the above in mind officers need to start thinking about this help from that early age.

PVI settings can make early identification, children are in these settings for a much greater proportion of the day and much greater proportion of the week than often they are in the school environment. Settings know who these children are but can't get the right support for them.

Karen Hughman a conversation has already taken place with early years officers it's a shared concern and have discussed how the inclusion services, the HLN funding and AFN funding could better support early years both in PVI settings and as children come into school.

Jamie Hutchinson - too big for an item for AOB, needs to be brought as an agenda item. Additional money could also be used on improving the training and resourcing, upskilling of our mainstream colleagues.

Colin Pettigrew – as a way of assurance this is on the radar of various committees and cross-party politicians at the County Council.

Matt Rooney – How much is it going to cost?

When would it be required given that there is a £300,000 underspend in that area of work?

As we are unable to recruit, how do you know we'll be able to get the staff with the expertise to provide the support required?

Is it affordable? Is it realistic? What difference will it make? Where will they work? How will we target that speech and language therapy? Where we have a huge backlog in terms of assessing communication interaction.

	<p>The neurodevelopmental pathway is backlogged, and a 14 month wait on the CAMS service. Would like a detailed paper on what is required not just 4 more teachers required.</p> <p>Agreement was reached to bring this AOB as an agenda item in the future.</p> <p>Two new members Nadeem Shah a maintained primary rep and Ella Tuxford an academy rep have been recruited.</p> <p>Members were reminded the next meeting is on the 6th December a Wednesday and not the usual Thursday.</p>										
<p>5. Confidentiality</p>	<p>There were no confidential items.</p>										
<p>6. Date and time of next meeting</p>	<table border="1"> <tr> <td data-bbox="146 757 683 831">Wednesday 6 December 2023</td> <td data-bbox="683 757 842 831">2-4pm</td> <td data-bbox="842 757 1334 831">Queen Elizabeth Academy (in person only)</td> </tr> <tr> <td data-bbox="146 831 683 869">Wednesday 28 February 2024</td> <td data-bbox="683 831 842 869">2-4pm</td> <td data-bbox="842 831 1334 869">Virtual Teams meeting</td> </tr> <tr> <td data-bbox="146 869 683 907">Thursday 13 June 2024</td> <td data-bbox="683 869 842 907">2-4pm</td> <td data-bbox="842 869 1334 907">St Giles (in person only)</td> </tr> </table>	Wednesday 6 December 2023	2-4pm	Queen Elizabeth Academy (in person only)	Wednesday 28 February 2024	2-4pm	Virtual Teams meeting	Thursday 13 June 2024	2-4pm	St Giles (in person only)	
Wednesday 6 December 2023	2-4pm	Queen Elizabeth Academy (in person only)									
Wednesday 28 February 2024	2-4pm	Virtual Teams meeting									
Thursday 13 June 2024	2-4pm	St Giles (in person only)									

DRAFT