# MEETING OF THE SCHOOLS FORUM

**Wednesday, 9 October 2024 at 8.30am**

**at the PDC**

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| TYPE | MEMBERSHIP |
| GOVERNORS | Tracy Edwards, Johnson Brock, Alan Morton; Robin Precey\*, Srividya Srivathsan\*, Laura Worsley\* |
| HEADTEACHERS | Veronica Armson\*; Sarah Bowmer\*, Dee Bleach\*; Hodo Dirir\*; Becky Dolamore; Zobaidha Elmi\*, Tom Foster\*, Brenda Landers\* (Chair); Nicholas Langham\*; Danny Lye\*; Jon Ryder\*, Astrid Schon\*; Shoshannah Thompson\*, Jessica Williams\*; |
| Non-School Members | Jemima Reilly\* -THEP , Natasha Chaudhury\* – NEU, |
| OBSERVERS | Gillian Kemp\* |
| Officers in Attendance | Lisa Fraser (Director of Education); Terry Shaw (Head of Schools Finance), Tina Sode (Head of Special Educational Needs); Steve Reddy (Corporate Director of Children’s Services),  Schools Finance Team members: Kudzi Mambara, Rukon Miah, Akrom Miah, Shamima Hussain, AbdulRazak Kassim |

*\*Denotes attendance*

*The meeting started at 08:33 and was quorate.*

**AGENDA ITEM 1: Welcome and apologies**

PRESENTING: Chair

The Chair welcomed everyone to the meeting.

Apologies were received and accepted from Johnson Brock, Becky Dolamore and Alan Morton.

**AGENDA ITEM 2: Election of Chair and vice chair**

PRESENTING: Chair

Brenda Landers was elected as the Chair of the Schools Forum. Shoshannah Thompson was elected as Vice Chair of the Schools Forum.

**AGENDA ITEM 3: Minutes of the last meeting -19 June**

PRESENTING: Chair

The minutes of the last meeting were approved as an accurate record.

Matters arising:

* LEAP funding – Lisa Fraser and Astrid Schon would be meeting soon to discuss this.
* Include ‘update on Sustainability Programme’ on the agenda for the next meeting. Action: Salma
* David Waller was recommended to be appointed to the School Business Managers Forum by the Primary Consultative

**AGENDA ITEM 4: DSG Monitoring**

PRESENTING: Terry Shaw

The report set out the outturn position for the DSG Budget for 2023-24 and the 2024-2025 DSG Budget and projected forecast.

The final position was an overspend of £2.8m Combined with the carried forward overspend of £13m, the total carried forward overspend was £15.8m.

The final outturn positions for each block were shared:

|  |  |  |  |
| --- | --- | --- | --- |
| **Block** | **Allocated DSG funding £m** | **Expenditure £m** | **Net £m** |
| Schools block | 209.9 | 207.9 | 2.0 |
| Central school services block | 3.2 | 3.3 | -0.1 |
| High needs block | 76.9 | 83.0 | -6.1 |
| Early years block | 30.2 | 28.8 | 1.4 |
| **Total DSG allocation** | **320.2** | **323.0** | **-2.8** |

The DSG Budget, actuals to date, projected forecast and projected variances for the financial year 2024-2025 were shared:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **DSG Block** | **Budget**  **£m** | **Actuals to Date**  **£m** | **Projected Forecast to Year End**  **£m** | **Projected Underspend / (Overspend) at Year End**  **£m** |
| Schools Block | 214.1 | 40.6 | 211.5 | 2.6 |
| Central Schools and Services Block | 2.9 | 1.2 | 2.9 | 0.0 |
| High Needs Block | 80.3 | 20.4 | 85.5 | -5.2 |
| Early Years Block | 40.3 | 11.9 | 40.3 | 0.0 |
| **Total DSG** | **337.6** | **74.1** | **340.2** | **-2.6** |

The projected outturn position was an underspend of £2.6m.

The High Needs Block (HNB) had a projected £5.2m overspend. The overspend is due to advisory and therapeutic services, specialist places, out of borough placements and alternative education provision.

High Needs Block expenditure has grown by 20% in Tower Hamlets since the 2020-2021 financial year.

37% of the spend is on maintained special schools, 34% on maintained mainstream schools, and 9% on independent settings (Delivering Better Value Report January 2024).

There were steps in place to reduce the steep trajectory of requests for statutory assessment and resulting EHCPs. Other local authorities were in similar positions to Tower Hamlets.

A member commented that the 2023-24 HNB had been set at £83m and the budget had been overspent. The 2024-25 budget was proposed at a lower figure of £80.3m and was therefore expected that the budget would be overspent. Kudzi Mambara replied that the budget was based on the allocated budget from the Government. Terry Shaw added that Tower Hamlets was in the Delivering Better Value (DBV) programme and some saving were expected.

A Member asked how many out of borough placements there were and what would the savings be if they were placed within the borough. Terry Shaw and Tina Sode replied that those figures were currently being reviewed but it wasn’t a significantly high number of places.

Continuous increase in the number of children and young people with Education, Health and Care Plans (EHCPs) has led to the significant overspend in the High Needs Block.

Steps were in place to reduce the steep trajectory of requests for statutory assessment and resulting EHCPs including:

* supporting early years settings and schools to manage without triggering the statutory process;
* developing an early intervention programme in pre-school, which will support stakeholders to meet need without an EHCP when they attend school;
* introducing a Tower Hamlets inclusion framework to guide schools on what is expected as ordinarily available provision and SEN support.

Tina Sode informed members that some work was being carried out around managing how plans are ceased as young people move out of education, move into apprenticeships, trainings and employment. The Front Door model was being developed and had been altered to ensure parents were provided with more information on alternative ways to support their children.

A Member stated that schools were seeing a huge increase in the number of children presenting with needs and being denied an assessment. Delaying assessments was not solving the problem, rather it was placing schools under enormous pressure. Another Member added that this may also create a bulge in Year 6 and 7 if children were not identified and receiving early intervention with earlier input. Even at Special Schools, the level of need had increased. Tina Sode replied that the idea was not to refuse assessment. The structure of SEND Panels have been reviewed and HTs and SENCOs will be invited to sit on panels. Decisions to refuse assessment or an EHCP was based on advice from professionals such as Education Psychologists. Multi-agency support was in place so that assessments can take place in Early Years and KS1, so that more detailed conversations can take place and early support identified.

A Member commented the report did not provide detail of which areas within the HNB were contributing most to the overspend. Terry Shaw replied that he could give an update on this at the next meeting. **Action.**

**AGENDA ITEM 5: High Needs Block**

Presenting: Tina Sode

Tina Sode gave an update on the High Needs Block (HNB). Some items were covered under agenda item 4.

The High Needs Block spend has grown by 20% in Tower Hamlets since the 2020/21 financial year. Continuous increase in the number of children and young people with EHC Plans has led to significant overspend in the HNB. The number of children on EHCP plans maintained by the LA had increased by 352 children. This was a rapid and steep growth.

The following steps were in place to reduce the steep trajectory of requests for statutory assessment and resulting EHC Plans.

* + A Front Door to Information for Support
  + Increased Early Intervention and Support
  + Introduction of the Inclusion Framework
  + Undertake a Review of Funding

The Front Door to Information and Support will ensure families are better informed. Early intervention and support will include support from CAMHS, SaLT and other agencies so that early support can be put in place.

The Inclusion Framework has progressed significantly. This will be shared with HTs for their feedback in November and the consultation will run until the end of the term. The final framework will be rolled out in the Spring Term.

ISOS have been commissioned to carry out a review of the funding. They have started with an evaluation of the Resource Bases and will also include an assessment of the overall model of funding, access to provision and how places are used. The second part of the review will focus on banding. Two finance consultants have been interviewed and will be involved in the HNB and developing a better understanding of the budget and how to achieve the best value from it.

A member asked if the SEND financial review will look at the use of independent providers. Tina Sode replied that the third part of the review will look at specialist provision. Independent providers will be included within that.

A Member commented that the Directory of Provision wasn’t clear, and it was difficult to understand the criteria.

Steve Reddy stated that a shared solution was required, and the LA and schools could talk about this together.

A Member stated that it was important to understand how Tower Hamlets compared to their neighbouring boroughs.

**AGENDA ITEM 6: Trade Union Facility Agreement (TUFA) Time Update 2024-2025**

PRESENTING: Terry Shaw

The Chair informed the Schools Forum that she had emailed everyone to propose that the Contingency Fund be used to plug the gap in the TUFA funding for 1 term until December 2024. This item therefore needed to be resolved by the end of the term.

Terry Shaw presented the report on the Trade Union Facilities Time Agreement (TUFA) 2024-25 cost and income budgeted and forecasted position and the outturn position for 2023-24.

Schools Forum were asked to consider and note the contents of the report and agree the proposed charging of TUFA costs for all special schools.

Terry informed the Schools Forum that the current TUFA funding did not reflect the full cost of releasing staff from school. The Chair added that the daily cost to schools did not reflect the actual cost to schools. An agreement needed to be reached which was within the budget.

Natasha Chaudhury added that the Trade Union Forum had been unable to meet as they were awaiting data from the Council. Another issue was that all members had an equal vote despite having different levels of membership, this was not proportionate to the level of membership.

Natasha also added that her predecessor was seconded full time however the school only claimed for 4 days, and another member’s school did not claim at all for his time. Those schools covered the cost themselves and this skewed the budget. Furthermore, the daily cap had remained static for several years and was not reflective of increased costs due to pay awards.

The issues with funding have meant that the branch was unable to forward plan. Communications with the Council have been ignored.

The Chair clarified that the role of the Schools Forum was to agree the funding, however this agreement could not be altered mid-year. The Schools Forum did not decide how the funding is distributed.

A member asked if the Schools Forum could decide that the rates needed to be higher to better reflect the actual cost. The Chair replied that the Schools Forum could not make that decision without any consultation.

Gillian Kemp commented benchmarking exercises undertaken as part of the review a few years ago showed that the contributions from Tower Hamlets were significantly higher.

A Member asked if this would be reviewed at the Headteacher’s Consultative. The Chair replied that the Consultative would receive papers with the proposed uplifts which they would review and bring back to the Schools Forum.

A Member asked if any agreement could be reached by the next Schools Forum Meeting in November. It was confirmed that this was the aim.

Members suggested that a benchmarking exercise be carried out. **Action:** Terry Shaw.

Terry Shaw informed everyone that Special Schools had not been charged previously but their staff were supported by Trade Union Representatives. Using the national recommended guidelines, the amount charged would be at a rate of 3 times the place numbers of the settings due to the significantly higher ratio of staff numbers to pupils.

Veronica Armson stated that this had not been agreed at the Special Consultative Meeting as they had felt that 3 times the number of pace numbers was excessive, considering the high number of pupils at Phoenix School. Additionally, the school had a high number of agency staff who were not accessing this support. The Special Schools Consultative agreed that special schools needed to pay, however the amount needed to be agreed.

Lisa Fraser commented that her understanding was that this figure was a recognised way of calculating special school contributions and other LAs also charged in this way. It was suggested that DfE guidelines for this be reviewed. **Action:** Terry Shaw.

A Member asked if LEAP were charged the same rate as special schools. Astrid Schon was unsure and agreed to find out.

In summary, the Schools Forum was asked to note the de-delegation of the schools’ facilities time budget and the funding arrangements that would determine the available budget.

Schools Forum was also asked to agree the proposed charging of all Special Schools as set out in point 1.5 of the report. If Special Schools were to agree to the proposed charging, then it could be considered to either increase day rates or consider paying the actual costs incurred. However, it must be noted that the year-end underspend in 2023-2024 was minimal and without the agreement of the charging of Special Schools, there would be no additional funding to consider either of these options without putting the Local Authority at risk of overspending.

A further report will be brought to Schools Forum in November 2024 to set out the proposals for the 2025-26 de-delegation arrangements, which will include the proposal for TUFA arrangements.

**Action:** The LA to respond to queries from Trade Unions.

**Action:** Trade Union Forum to reach an agreement on TUFA.

**AGENDA ITEM 7:** Review of the De-Delegation Budget

PRESENTING: Terry Shaw

The report set out how the de-delegated services for the financial year 2024-2025 was managed and a range of options to consider in advance of a decision for the 2025-26 funding year.

Terry Shaw gave a breakdown of the de-delegation items:

**Contingency fund:** provides for unforeseen expenses in schools during the year. Without a central fund, individual schools facing an unforeseen significant cost may find themselves unable to operate within their delegated budgets. Individual schools may not by themselves be able to build up sufficient contingency to cover this.

The total amount de-delegated in 2024-25 was £439,607 and the projected outturn was an underspend of £207,680.

The Chair asked if this was for secondary only or if it included post-16. Terry Shaw confirmed that it was for secondary only. The Chair then asked if the post-16 review costs should be covered by the Contingency fund. Terry Shaw agreed to look at this. **Action:** Terry Shaw.

The Schools Forum discussed how the Contingency Fund should be spent. There was currently no policy outlining this and it was agreed that this was needed. **Action:** Terry Shaw.

A Member asked if any of the funds were being used to support school federation processes. Terry replied that to his knowledge this was not the case. The Sustainability Project was supporting schools in deficit. Schools in the project were charged a deficit recovery fee at £7,000 for receiving the support from the group to achieve a financially favourable position.

A Member commented that School Resource Management Advisers (SRMA) are provided free by the DfE and asked why the LA was charging for this. Terry Shaw replied that it was the role of the LA to provide this support.

**Free School Meals (FSM) Eligibility Assessment:** The service assesses pupils’ eligibility for free school meals and notifies individual schools on a regular basis of their pupils’ eligibility.

The total amount de-delegated in 2024-25 was £113,500 and the projected expenditure was £113,500.

**Trade Union Facilities Agreement (TUFA):** The TU Facilities Agreement ensures that representatives are available to enable Schools to participate in collective bargaining and consultation processes. Holding the budget centrally enables schools to share the costs of supply cover to support the TU facilities time agreement.

The total amount de-delegated in 2024-25 was £144,725 and the projected expenditure was £144.725.

**Behaviour Support Services:** The service offers a wide range of advice, assessment, guidance and training which is designed to support schools to develop and deliver their statutory responsibilities for promoting positive behaviour and reducing risk of suspension for vulnerable groups. Providing this service centrally means that efficiencies can be gained.

The total amount de-delegated in 2024-25 was £151,600 and the projected expenditure was £151,600.

**Additional School Improvement:** The additional de-delegation of the School Improvement Service followed the phasing out of the Schools Moderation and Brokering grant. The grant was previously allocated to local authorities to allow them to monitor and support performance of maintained schools, broker school improvement provision and provide intervention to raise standards.

The total amount de-delegated in 2024-25 was £151,600 and the projected expenditure was £151,600.

Terry Shaw stated that the Special Schools Consultative had agreed to all the de-delegation rates except Phoenix School should not be based on 3 x places because the numbers are like a small secondary mainstream school, and FSM Eligibility should not be based on 3 x places for all special school and alternative provision settings.

The Schools Forum did not accept the position of Phoenix School at its meeting in July 2024 and were invited to further consider the proposals for the Special Schools and Alternative Provisions charging contributions to de-delegated services.

A consultation email will be sent to schools in October with the de-delegation options which will include proposals for de-delegation for 2025-2026.

It was agreed that this would be discussed at the Consultative Meeting and then brought to the Schools Forum. **Action:** Special Schools Consultative/Veronica Armson

**AGENDA ITEM 8: De-delegation Contingency Fund Outturn and Forecast**

PRESENTING: Terry Shaw

The report set out how the Contingency Fund was managed to provide schools with an overview and a range of options to consider in advance of a decision for the 2025-26 funding year.

Contingency Fund expenditure of £126,522 was incurred in 2023-2024, producing an underspend against budget of £316,142.

At the June 2024 Schools Forum meeting, the Chair asked what would happen to the underspend and a reply was communicated by Schools Finance stating that the underspend across all four Dedicated Schools Grant (DSG) blocks would offset the overspend in the DSG High Needs Block.

Members commented that there were better ways to spend the Contingency Fund and a policy outlining how it could be spent needed to be drafted. A Member noted that despite the underspend there was a proposed increase to the contribution. It was agreed that this would be discussed at the consultative meetings.

A Member asked if the underspend could be spent on some relevant areas before the end of the financial year. Terry Shaw replied that it was up to the Schools Forum to decide how to spend that money, the Schools Finance Team just managed the budget.

The Chair stated that proposals for spending the underspend can be brought back to the Schools Forum. **Action:** Chair.

The Chair stated that they would like to know what the Schools Sustainability Group external consultancy fees were (taken from the contingency fund). **Action:** Terry Shaw

A Member asked what the early retirement costs amounted to annually. Terry Shaw stated that he could carry out a historical analysis. **Action:** Terry Shaw.

A Member commented that they thought schools covered the early retirement costs. It was established that these were historic costs.

Terry Shaw stated that currently Special Schools did not pay into the contingency fund. Veronica Armson agreed to discuss this at the Special Schools Consultative. **Action:** Veronica Armson.

A Member asked if the LA was asking for a review of how schools were funded and suggested that this could be added to the agenda for the next meeting.

**AGENDA ITEM 10: AOB**

PRESENTING: Chair

Members requested that the Terms of Reference for the Schools Forum, and the workplan with the Primary Consultative dates be shared with everyone.

**AGENDA ITEM 12: Date of Next Meeting**

The date of the next meeting was the 27 Of October 2024.

*The meeting ended at 10:07.*

Summary of action points

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| **Agenda item** | **Action** | **Responsible** |
| 4 | Report which areas within the HNB were contributing most to the overspend. | Terry Shaw |
| 6 | Benchmark trade union charges at other LAs. | Terry Shaw |
| 6 | Look at DfE guidelines for calculating the special schools contributions to TUFA. | Terry Shaw/Lisa Fraser? |
| 6 | Send the Schools Forum ToR and updated workplan to all members | Salma Siddiqua |
| 6 | The LA to respond to queries from Trade Unions. | Lisa Fraser |
| 6 | Trade Union Forum to reach an agreement on TUFA. |  |
| 7 | Look at if the post -16 review should be funded by the Contingency Fund | Terry Shaw |
| 7 | Draft mechanism for how the de-delegation budget should be spent. | Terry Shaw |
| 8 | Discuss and propose ideas for how the 2023-2024 Contingency Fund can be spent. | Chair |
| 8 | Consult the Special Schools Consultative on contributing to the Contingency Fund | Veronica Armson |
| 8 | Annual cost of early retirement fees for school staff. | Terry Shaw |
| 8 | What are the Schools Sustainability Group external consultancy fees | Terry Shaw |
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Items to be included in the agenda for the next meeting:

* Schools Forum Terms of Reference
* Update on Sustainability Programme