

**MINUTES OF THE MEETING OF THE**  
**WORCESTERSHIRE SCHOOLS FORUM (WSF)**

Thursday 26<sup>th</sup> September 2019  
Kidderminster Room, County Hall, Worcester

The meeting started at 3.05 pm

**IN ATTENDANCE:**

WSF Members

Malcolm Richards (Chair)	-	Governor, Bromsgrove
Bryn Thomas (Vice Chair)	-	HT Wolverley CE Secondary School
Marie Pearse	-	HT Evesham Nursery School
Paul Essenhigh	-	Executive HT Catshill Middle, Catshill First and Nursery Schools
Nathan Jones	-	HT Meadow Green Primary
Vivienne Cranton	-	HT Hollymount Primary School
Chris King	-	CEO Severn Academies Educational Trust
Jeff Robinson	-	Governor, Malvern Hills (to 4.10pm)
John Bateman	-	Governor, Aspire Alternative Provision (AP) Free School (to 4.35pm)
Stephen Baker	-	Union Representative

Local Authority (LA)

Sarah Wilkins	-	Director of Education and Early Help Worcestershire Children First
Andy McHale	-	Service Manager Funding and Policy Worcestershire Children First
Rob Phillips	-	Schools Finance Team Worcestershire County Council
Rob Wilson	-	Finance Manager Pensions Worcestershire County Council (to 3.20pm for Agenda Item 6)
Penny Richardson	-	Interim Group Manager SEND Worcestershire Children First (to 4.10pm for Agenda Item 8)

**1. APOLOGIES**

Adrian Ward	-	HT Trinity High School
Deb Rattley	-	HT Chadsgrove Special School
Lorraine Petersen	-	Governor, Bromsgrove
David McIntosh	-	Governor, Wyre Forest
Tim Reid	-	Church of England Board of Education
Greg McClarey	-	Archdiocese of Birmingham
Edward Senior	-	16-19 Providers
Tricia Wellings	-	PVI Sector

Councillor Marcus Hart	-	Cabinet Member with Responsibility for Education and Skills
Nick Wilson	-	Interim Assistant Director Education and Skills Children, Families and Communities
Phil Rook	-	Director of Resources Worcestershire Children First
Caroline Brand	-	Schools Finance Manager Worcestershire County Council

## **1.ELECTION OF CHAIR AND VICE CHAIR OF THE WSF**

### **1.1 WSF Chair**

(a) Andy took the Chair and advised the term of office for Chair of the WSF had expired. So, there was a need for the WSF to elect a Chair of the WSF and so nominations were requested.

(b) Stephen Baker nominated Malcolm Richards, and this was seconded by Jeff Robinson. There were no other nominations.

#### **RESOLVED –**

**That Malcolm Richards be duly elected as Chair of the WSF from 26<sup>th</sup> September 2019 for a period of 2 years.**

(c) Malcolm Richards duly took the Chair for the meeting.

### **1.2 WSF Vice Chair**

(a) Malcolm Richards further advised the term of office for Vice Chair of the WSF had also expired. So, there was a need for the WSF to elect a Vice Chair of the WSF and so nominations were requested.

(b) Adrian Ward by proxy nominated Bryn Thomas and this was seconded by Malcolm Richards. There were no other nominations.

#### **RESOLVED –**

**That Bryn Thomas be duly elected as Vice Chair of the WSF from 26<sup>th</sup> September 2019 for a period of 2 years.**

## **2. DECLARATION OF INTERESTS**

None.

## **3. DECLARATION OF POTENTIAL CONFLICT OF INTERESTS WITH ITEMS ON THE AGENDA**

None.

#### **4. MINUTES OF THE LAST MEETING (4<sup>th</sup> July 2019)**

Agreed.

#### **5. MATTERS ARISING**

None.

#### **6. LOCAL GOVERNMENT PENSION SCHEME FOR MAINTAINED SCHOOLS**

6.1 The Chair welcomed Rob Wilson Finance Manager Pensions Worcestershire County Council to the WSF meeting.

6.2 Rob advised the WSF on the current issues relating to the scheme including: -

- The pension fund actuary was currently conducting the triennial valuation review.
- This would set the employer rates from April 2020 and these are expected to be available in October 2019.
- There is a need to set two rates a primary rate assessing future benefits and a secondary rate to assess the fund deficit.
- These are based on factors such as market performance, life expectancy, salary growth and employment profile.
- It is anticipated the fund deficit would reduce but this has yet to be confirmed and the McCloud case currently being progressed could impact on any potential liability.

6.3 In response to a request from a member of the WSF on information on these issues Rob agreed to circulate a short briefing note. He also confirmed that academies are individual admitted bodies but maintained schools are part of WCC.

6.4 The Chair thanked Rob for his very useful input and attending the WSF.

**Rob Wilson left the meeting at 3.20pm.**

#### **7. ANY OTHER BUSINESS – WSF ATTENDANCE ACADEMIC YEAR 2018/19**

7.1 The WSF noted the attendance list from the last academic year 2018/19.

7.2 Members of the WSF commented on attendance in some areas and on the number of vacancies discussing how membership could be increased.

7.3 It was noted it was proving difficult to recruit governors for the WSF and for schools generally. Also, the perception of the complexity of the funding issues might be a barrier.

7.4 It was agreed there were opportunities to publicise the WSF in the District briefings later in October, as part of Sarah's weekly letter to schools and as part of the Worcestershire Children First launch.

#### **8. HIGH NEEDS UPDATE**

8.1 The Chair welcomed Penny Richardson to the WSF meeting.

## 8.2 DfE Call for Evidence

(a) Andy advised on the submission made in July 2019 to the DfEs call for evidence for SEND.

(b) The WSF noted this and that the DfE had launched a national review for SEND.

## 8.3 Recovery Plan Update

(a) Penny introduced the report which summarised the issues in the format of the DfE template as requested. The key issues included: -

- The 6 main building blocks for the recovery, which had been considered by the SEND improvement board and were commended by the DfE SEND support.
- There is significant move to the independent and non-maintained sectors i.e. the out-County sector from the mainstream sector.
- WCC is particularly affected by the HN NFF which has a significant formula factor based upon historic DSG allocations.
- In terms of recovery there is a need to reduce reliance on out-County, to switch the emphasis of first time EHCPs from special schools to mainstream and to manage 16-25 and AP demand.
- There are still significant placement and cost pressures remaining and in future years for top up funding, out County, post 16, post 19, SEMH/ASD and AP.

(b) WSF members commented as follows: -

- For AP: -
  - There is a need to know the detail on permanent and fixed term exclusions to understand fully the issues.
  - There is often confusion on the role of AP and sometimes pupils benefit by staying in that type of provision.
  - There are issues around the Fair Access Protocol arrangements in WCC with a culture of permanent exclusions staying in AP and there being very little re-integration.
  - Sarah confirmed a review of AP to include the primary sector had been programmed and will look at these issues.
- For top up funding there is a need to review but the rates have not increased since 2015 due to DSG funding constraints.
- There is a need to align revenue and capital funding streams to facilitate more in-County provision.
- Finance is key but there is a need the change the culture and operational practices in both the LA and schools. Costings would need to be developed on an ongoing basis to assess the potential savings and budget pressures.

(c) The Chair on behalf of the WSF thanked Penny and the Task Group for all the analysis and work so far and wished her all the best for the future when she leaves the LA at the end of October 2019.

**Penny Richardson left the meeting at 4.10pm.**

## **9. SCHOOL AND LA FUNDING UPDATE 2020-21**

### **9.1 DfE Funding Announcements September 2019**

(a) Andy advised on 3 September 2019, the Secretary of State for Education confirmed to Parliament that the funding for Schools and High Needs will rise by £2.6 billion for 2020-21, a further £2.2 billion for 2021-22 and a further £2.3 billion for 2022-23. This provides for **£7.1 billion** additional funding **compared to 2019-20 baseline**.

(b) Andy further advised that the above funding will be distributed using the Schools and High Needs National Funding Formulae (NFF) and the key aspects are: -

- **DSG Funding for Schools and High Needs**
  - The DfE will be publishing provisional NFF allocations at LA and school level in October 2019, including LAs final Primary and Secondary units of funding (PUF) and (SUF) for the Schools Block.
  - The DfE will then publish final Schools and High Needs DSG allocations for LAs in December 2019 based upon the October 2019 census and other 2019 data sets.
- **Schools NFF**
  - This will continue to have the same factors as at present.
  - The minimum per pupil funding levels will be set at £3,750 for primary schools and £5,000 for secondary schools with a hybrid amount for middle schools depending on the number of year groups. The following year, in 2021-22, the primary minimum level will rise to £4,000.
  - The funding floor will be set at 1.84% per pupil.
  - The NFF allocations are proposed to benefit from an increase of 4% to the formula's core factors apart from FSM and historic premises allocations.
  - Unlike the previous two years, there will be no gains cap in the NFF. The ability to include this in the local model will depend on affordability.
  - Pupil Growth Funding for basic need will be based on the same methodology as this year.
- **Local Schools Funding Formula (LSFF)**
  - LAs will continue to have discretion over their LSFF in consultation with schools.
  - The DfE are looking to make the use of the national per pupil Minimum Funding Levels, at the values in the school NFF, **compulsory** for LAs to use in their LSFF.
  - LAs will continue to set a Minimum Funding Guarantee (MFG) in the LSFF, which in 2020-21 must be between +0.5% and +1.84% per pupil.
  - LAs can only transfer up to 0.5% of their School Block to other blocks of the DSG, with Schools Forum approval. To transfer more than this, or any amount without Schools Forum approval, LAs will have to make a request to the DfE even if the same amount was agreed in the past two years.
- **The High Needs NFF** will continue to have the same factors as at present and there will be £700 million of additional funding.
- **Other Grants** for teachers' pay and teachers' pension employer contributions grant will both continue to be paid separately from the NFF in 2020-21.

(c) The WSF noted: -

- Until the DfE issue the detailed LA exemplifications it is difficult to assess the potential impact, particularly the share of the additional HN DSG.
- The final allocations will be based upon the October 2019 census and other data sets so could change significantly.

- The potential impact of the MFLs if made compulsory, as these were a substantial call on the additional Schools Block DSG, so this is anticipated to be the position again in 2020-21.
- There being no gains cap in the DfE NFF and concerns on whether this could be implemented locally due to affordability.
- The potential or not to transfer 0.5% to High Needs still in the national policy but the national restrictions on the LSFF could make that extremely difficult.
- Any additional HN funding being welcomed but the need to reserve judgement until the amount is confirmed. For WCC and most LAs it is a year behind due to current cost pressures.
- Although for Early Years an additional £66m has been announced, concerns were raised about the current cost pressures not being addressed, particularly on national minimum wage pressures and a lack of clarity on the future of the lump sum funding for maintained nursery schools.

## 9.2 F40 Group Updates

The WSF noted the press release and the useful papers on the spending review submission.

## 9.3 Education and Skills Funding Agency (ESFA) Schools Revenue Funding 2020 to 2021 Operational Guidance

(a) Andy introduced the report which summarised the key issues in the ESFA Operational Guidance and advised they included the technical matters to implement the DfE policy for 2020-21 detailed in the previous report.

(b) Andy further advised the WSF: -

- On the potential **movement between blocks**, given the significant High Needs cost pressures, schools and the WSF will be requested to again consider the appropriateness of this for 2020-21 as part of the consultation requirements for all schools both maintained and academies. Also, LAs must submit a disapplication **by 28<sup>th</sup> November 2019** for an amount more than 0.5% or where the Schools Forum has turned down a request of 0.5% if they wish to proceed with a transfer.
- On **DSG Balances** it is likely the LA will be required to report to the DfE by end June 2020 as the DSG deficit is likely to be more than 1% as at 31<sup>st</sup> March 2020.
- On the **Central School Services Block (CSSB)** for continuing historic commitments, the DfE intend to publish in October 2019, technical documents setting out a formula for the ongoing responsibilities element of the block. This could impact on the current centrally retained funding for the Early Intervention and Family Support Service (EIFS).
- Schools Forum approvals for designated **central and de-delegated services** for 2020-21 are required again.

## 9.4 Potential Local Consultation Issues for 2020-21

(a) The Chair introduced the report and reminded the WSF of their previous policy supported in the local funding consultations for **stability** in the LSFF.

(b) The draft paper set out the proposed timeline for the consultation and Andy advised the APT submission for 2020-21 is required by 21<sup>st</sup> January 2020 meaning WCC Cabinet on 12<sup>th</sup> December 2019 would be the decision-making meeting for the LSFF.

(c) WSF members commented as follows: -

- For the LSFF **stability** is key and a return to the previous local LSFF would create too much turbulence. So, for the LSFF, the only real option to consider is the current NFF based model.
- Appreciate there is insufficient in the HN DSG but significant concerns on the impact of any transfer on mainstream school cost pressures.
- The need to consult on the LSFF, the potential to transfer from the Schools Block to support HN pressures and for de-delegation for maintained mainstream schools and centrally retained services for all schools.
- The inability to provide any modelling exemplifications for the NFF 2020-21 given these were not yet available from the DfE and these would be significantly impacted by the October 2019 data sets.

**RESOLVED –**

**The WSF approved the draft consultation paper content for circulation to all schools and other consultees as detailed in the report.**

(d) Andy advised there is likely to be a separate discussion with Early Years providers in early 2020 when the funding arrangements for 2020-21 are confirmed by the DfE.

#### 9.5 DfE MFG Variation Approval Requests

The WSF noted the required application process and timelines for LAs to request any disapplication to the School and Early Years Finance (England) Regulations in 2020-21.

### **10. DfE CONSULTATION ON THE FINANCIAL TRANSPARENCY OF LA MAINTAINED SCHOOLS AND ACADEMY TRUSTS**

10.1 The WSF noted the issues in the consultation and supported the draft consultation response.

10.2 The impact for academies on the need to submit to the ESFA from 2018/19 a self-assessment tool like the School Financial Value Standard currently completed by maintained schools was noted.

**RESOLVED –**

**The WSF endorsed the draft consultation response and supported its submission.**

**The meeting closed at 4.55pm**

The date of the next WSF meeting is: -

Thursday 28<sup>th</sup> November 2019 at 2pm  
Worcester Room  
County Hall  
Worcester