

Minutes of the Forum Meeting held on Tuesday, 12 November 2019 Held in Room 1, Civic Suite

<p>Present: Maintained Primary Sector: Antoinette Fisher (Governor) Ben Taylor (Head teacher) Bernie Farkas (Head teacher) Karen Scott (Head teacher) Jenny Godsall (Head teacher) Donna Payley (Governor) Paul Jackson (Governor) John McDermott (Governor) Rob Fletcher (Head teacher) Maintained Secondary Sector: Marie Murphy (Head teacher) Maintained Special Sector: Andrew Wilkins (Governor) Jane Davenport (Head teacher) Academy Primary Sector: Lynda Mackay (Governor) Academy Secondary Sector: Claire Smith (Head teacher) Charlotte Shadbolt (Governor) Geoff Harley-Mason (Governor) Honorary Alderman Norman Davies (Governor) Darren Gelder Pupil Referral Unit: Eleanor Clarke AP Academy: No representative present Post-16 College: No representative present TU Representatives: David Lewis Early Years PVI Sector: Gina Godwin Lisa Whitehouse 16-19 Sector: No representative present Officers of the Council: Councillor Ken Meeson Councillor Annette McKenzie Phil Leivers Steve Fenton Stuart McHale Observers: Ann Lowe Paul Gray Lynn Clark Nicole Fowles Jacque Nicholls Amanda Mordey</p>	<p>Dorrige Primary School Our Lady of the Wayside School Blossomfield Infant School Greswold Primary School Knowle CofE Academy (proxy arrangement) Yew Tree Primary School Castle Bromwich Juniors St Alphege Juniors Fordbridge Primary</p> <p>St Peters RC School</p> <p>Hazel Oak Special School Reynolds Cross Special School</p> <p>Knowle CofE Academy</p> <p>Tudor Grange Academy Heart of England Academy Arden Academy Langley Secondary Academy</p> <p>Grace Academy</p> <p>Triple Crown Centre</p> <p>TU Representative</p> <p>Whitesmore Neighbourhood Nursery/Wise Owls Tender Years Nursery</p> <p>Cabinet Member for Children, Education & Skills Conservative representative Assistant Director, Learning & Achievement Head of Business & Performance Childrens Services Finance Manager</p> <p>SMBC Head of 0-25 SEND Service Our Lady of Compassion Marston Green Juniors Coleshill Heath Juniors Dickens Heath Primary Merstone/Forest Oak Special Schools</p>
<p>Chairperson: Vice Chairperson: Minutes:</p>	<p>Antoinette Fisher – Dorridge Primary School Darren Gelder – Grace Academy Alison McWilliam, Senior Forum Administrator</p>

Item		Action			
1	<p>Apologies for Absence Apologies were received from:</p> <table border="1" data-bbox="220 286 1380 564"> <tr> <td data-bbox="220 286 507 564"> Louise Minter Eva Evans Wendy Jarema Stephen Steinhaus Trevor Scott Sarah Smith Louise Rees Nick Page </td> <td data-bbox="507 286 981 564"> Primary Academy Head Primary Academy Business Manager Secondary Academy Governor AP Academy Principal Special Academy Principal Representative Director of Children’s Services Chief Executive </td> <td data-bbox="981 286 1380 564"> Streetsbrook I&EY Academy Bentley Heath CofE Academy Park Hall Academy Solihull AP Academy Northern House, Solihull CofE, Birmingham SMBC SMBC </td> </tr> </table>	Louise Minter Eva Evans Wendy Jarema Stephen Steinhaus Trevor Scott Sarah Smith Louise Rees Nick Page	Primary Academy Head Primary Academy Business Manager Secondary Academy Governor AP Academy Principal Special Academy Principal Representative Director of Children’s Services Chief Executive	Streetsbrook I&EY Academy Bentley Heath CofE Academy Park Hall Academy Solihull AP Academy Northern House, Solihull CofE, Birmingham SMBC SMBC	
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2	<p>Minutes of Last Meeting (9.7.19) The minutes were accepted as a true and accurate record of the meeting.</p>				
3	<p>Matters’ Arising Page 3 <u>Non-traded SEMH Support</u> – Concern had been raised that the threshold set before accessing support could be viewed as a target. AL to speak to Paula Thompson. EdSEND to pick this up and report back to the December Forum meeting. Page 4 <u>EY Access to EP Service</u> – EdSEND to pick this up and report back to the December Forum meeting.</p>	<p>AL/ EdSEND AL/ EdSEND</p>			
4	<p>Cabinet Member’s Items – Councillor Ken Meeson <u>School Transport</u> – Parents in Marston Green are unhappy about changes to local transport arrangements where children have been using buses to attend Heart of England School. The LA is not legally obliged to provide transport for children who are attending schools outside their catchment area, as is the case here and families will have to find alternative ways to reach school, eg. via train. In addition, changes to transport contracts have meant that children in Dickens Heath travelling to Alderbrook will now use a bus commissioned and funded by the LA. It is hoped that Swift card holders will be able to use these cards for the remainder of the school year <u>St Augustines Expansion Consultation</u> - Despite significant concerns expressed about the likelihood of increased traffic congestion in the area, the proposal to expand the school has progressed to formal Consultation, with a report due at the January CM meeting. <u>SEND Agenda</u> – Plans for the ASD Free School are on-track. Within the West Midlands region, there is a proposal to set up a Safe Centre (secure accommodation) for young people with very complex needs. This has the support of the DfE, the location is currently unknown and it will take time to come on-line. <u>Youth Services</u> – All political parties have made it clear that they want to see robust youth services and that schools will be encouraged to be actively involve din providing positive activities for young people. Further information is anticipated post-General Election.</p>				
5	<p>DfE and Press Announcements – Steve Fenton <i>Reference ‘School Funding and Schools Block Transfer Proposal Update’</i> SF highlighted a number of items: <u>Combined Services – Historic Commitments</u> We have been notified that these services (LINK: Combined Services) will be subject to a 20% reduction in 2020-21, amounting to just under £300k. However, as the DfE has included Solihull’s £1.115m Prudential Borrowing commitment, the 20% completely wipes out the historic commitments. FWG will consider the options at its 2 December meeting, which include either losing services or putting service packages in place for schools to buy. The DfE has said that LAs can apply for a Schools Block transfer to fund the services, but Solihull is unlikely to take up this offer, given that the LA is already seeking a transfer to the HNB. <u>Early Years</u> In 2020-21 Solihull EY settings will receive an increase of 0.08p to the hourly rate for both 2 and 3-4 year-olds. The plan is to passport this through and SF has written to EY settings to</p>	<p>FWG</p>			

confirm this. Forum confirmed that the most sensible approach was to add the 0.08p to the hourly rate.

Management of DSG Deficit

The DfE has confirmed that it does not expect historic DSG deficits to be brought back into balance as part of recovery plans and no timescale has been given for when deficits would need to be recovered. Further guidance is expected post-General Election. In the meantime, Solihull's Financial Recovery Plan does not show us recovering the deficit, leaving open the question of how and by when the accumulated deficit is recovered. In essence, the important thing is that seeking a Schools Block transfer is NOT aimed at recovering any historic deficit.

Minimum Per Pupil Funding Levels

As the MPP levels of £3,750 for primary and £5,000 for secondary will be mandatory, a number of schools that are subject to this MPP guarantee would be unaffected by any Schools Block transfer. Although LAs can submit a disapplication request against this for exceptional circumstances, the latest update from the DfE is that only the most exceptional circumstances would be approved.

No questions were raised.

6 **Special School Funding 2020-21 – Jane Davenport**

Reference 'Funding Increase Request from Special Schools'

With special schools funded from the deficit HNB, the DfE has not proposed they receive a specific funding increase for 2020-21. However, with Solihull receiving a £2.5m HNB increase in 2020-21, special schools asked Forum to consider that they receive a minimum 1.84% increase, in line with the guaranteed minimum increase for mainstream schools. SF thanked special schools for bringing this request, which is reasonable as they are facing the same cost increases as mainstream. SMcH will cost out an increase based on 4% (estimated at around £200k) and include this in the HN Recovery Plan. Forum members fully supported this course of action.

SMcH

7 **Proposal for Schools Block Transfer to High Needs Block – Steve Fenton**

Reference 'LA Proposal to Transfer 0.5% or 1.0% of the 2020-21 Schools Block to the High Needs Block' report and appendices and 'Consultation with Primary and Secondary Schools' document and appendices

The LA formally sought Forum's response to its proposal to transfer funds from Schools Block to HNB. In line with Operational Guidance, Forum is required to take into account schools' feedback – as attached to the report - before making a decision. It is fundamental that the LA understands the feelings of schools and that Forum understands might happen next. The LA has never previously acted against a recommendation made by Forum, so if Forum is unable to support a transfer, but the LA goes ahead and seeks a disapplication, SF stressed that it is with no disrespect to Forum members or the positive relationship between Forum and the Local Authority.

Members made the following comments:

- RF asked that if Forum does not agree the transfer, but the Secretary of State does and it then goes to Cabinet Member in January, will schools have the opportunity to speak to the CM before he makes a final decision on implementation? CM agreed that this would be possible.
- CM stated that the SofS and Government are fully aware that a review of SEND, including the EHCP process, is required, but this does not help in the short term, leaving LAs and schools in a difficult position.
- DG was concerned there was a lack of understanding of the detrimental impact a transfer would have in terms of redundancies, reduced quality of provision and confidence that there would be improvements in future.
- CM responded that part of the dilemma is that Solihull (and other areas) needs more provision, but legally LAs cannot set up schools.
- DG raised concern that schools had not had sight of or any involvement in the Recovery Plan and asked that CM visit schools to talk about the measures they are having to take to save money. He believed that the service was being mismanaged, that farcical budgets were being set, which were routinely overspent, without question.
- CM responded that the HNB funding is not enough for Solihull (or any other LA); if a

tribunal rules that a child needs a certain provision, the LA has a legal responsibility to provide it, irrespective of whether they can afford it. Legally, the LA is no longer able to financially support areas such as SEND with Council money.

- PL confirmed that AF, LM and LMc were meeting with Louise Rees later in the week to take these discussions forward and ensure schools are involved in implementing solutions.
- JG stressed that, although there is a financial argument, schools also have broader concerns, including around the long-term management of SEND which, if this had been managed differently, may have led schools to respond differently to the tabled proposal. She asked that schools' wealth of experience form part of decision making for the future.

DL read out a statement produced from feedback at the FWG meeting on 5 November ([LINK: Statement](#)) summarising the reasons members had voted for Option C – no transfer.

Forum members were then formally asked to vote, the outcome of which was:

Option A – support a transfer of 0.05% 0 votes

Option B – support a transfer of 1% 0 votes

Option C – do not support any transfer unanimous vote by all Forum members

AF confirmed that Forum had voted overwhelmingly against a transfer of funds from Schools Block to High Needs Block in 2020-21 for the following reasons:

- The consultation with schools demonstrates there is no support from any school for the proposal.
- The feedback from schools is that there is a universal lack of both trust and confidence in the Local Authority in regard to:
 - The lack of good strategic management of the SEND service
 - The Management of the High Needs Budget which has been allowed over recent years to move into deficit in an unmanaged and unregulated manner
 - A lack of clarity, consistency and transparency over placement decisions, particularly in private and independent out of borough schools and the monitoring of those placements
 - The engagement the Local Authority has with schools when dealing with issues and problems in SEND service delivery. Members spoke that schools were often left to deal with individual problems with a minimum of help and resources; that school staff were taking on social care roles and that promises of support made were not always followed up.
 - The lack of precise details of strategies falling within the “five strands” the Local Authority has identified as key in its Recovery Plan
 - The lack of precise details of the financial aspects of the Recovery Plan.
 - The need for school involvement in the development and implementation of the Recovery and Action Plans.

8 Group Reports

Reference Work Group Reports

Finance WG meetings on 11 September and 5 November 2019 – David Lewis

The Reports were accepted with no questions.

Capital WG meeting on 25 September 2019 – Andrew Wilkins

The Report was accepted with no questions.

EdSEND Group meeting on 10 October 2019 – Antoinette Fisher

Of particular note:

- There had been 59% uptake by schools of the traded Education Psychology service.
- Update for the School Avoiders training on 14 October had been low, further feedback was awaited.
- Attendance data for children educated at out-of-borough provision and the LA's formal response when an independent school where Solihull children are placed goes into special measures were expected at the next meeting on 28 November.

RF expressed schools' frustration with a number of areas and asked how strongly the EdSEND group takes up these issues on behalf of schools. AF and JN confirmed that EdSEND was pursuing these matters, but was also frustrated with the difficulties experienced in moving actions forward.

KS queried the 'positive feedback' noted in relation to the two Inclusion Support Practitioners for HN SEMH as it was early days and little evidence was available. It was noted that Paula Thompson will present the SISS Annual Report to EdSEND on 28

November.

SSSAB meeting on 23 October 2019 – Jacque Nicholls

Of particular note:

- Lynn Clark talked about work taking place with HR, including their support of schools in crisis.
- Fiona Hughes attended to talk about difficulties arising from areas of social housing within new developments, where schools are suddenly having to support children and families in crisis without the appropriate tools to do so. Although the children and families moving in could not be predicted, schools said they would appreciate knowing the proportions of social housing in order to make some loose predictions. This led to a plea for joined up thinking and communication and where there is representation on wider groups, the need to consider the impact of decisions made on schools, school leaders and families.
- JN stressed that every decision made about anything to do with living in Solihull will ultimately have an impact on schools and once schools are involved in decision-making, there will be more clarity and the joined up thinking that is needed.

9 **Any Other Business**

GH-M referred to Appendix 8 of the Schools Block Transfer report and asked why some schools had a £0 against them as the transfer sum. SF responded that those schools would fall below the mandatory minimum per pupil funding level of £3,750 (primary) and £5,000 (secondary) if the transfer were to be implemented, so would not be impacted by the transfer.

The mandatory guarantee of £3,750 (primary) and £5,000 (secondary) has been implemented by Government in acknowledgement that every school needs a minimum level of funding to educate a child, irrespective of where the school is located or the characteristics of its pupils. In addition, there will be a general 4% increase on all other factors, apart from deprivation, which will receive a 2% increase.

The current Government is committed to raising the MPP funding to £4k for primaries from 2021-22.

As PL's last Forum meeting, AF said how personally very sorry she was that he was leaving, a sentiment echoed by all members and everyone wished PL well for the future.

10 **Date of Next Meeting**

Tuesday, 10 December 2019 at 5.00pm in Room 1, Civic Suite

PLEASE NOTE - An additional meeting has been scheduled for 5.15pm on Wednesday, 15 January 2020 in the Council Chamber