



Solihull Schools Forum

Minutes of Extraordinary Meeting

9:30am – 11.30am

Thursday 9th November 2023

SMBC Council House, Orchard House Room 1:03

Solihull B91 9SE

Member Category	Member Name	Institution	Attendance (Present / Absent / Apols)
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (4)	Lynn Clark	Marston Green Juniors (Northern)	Present
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (4)	Bernie Farkas	Blossomfield Infants (Synergy)	Present
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (4)	Richard Marshall	Oak Cottage (Evolve)	Present
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (4)	John McDermott	St Alphege Inf & Junior (Synergy)	Absent
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (4)	Tim Baptiste	Oak Cottage (Evolve)	Apologies
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (4)	Paul Jackson	Castle Bromwich Junior School (Northern)	Absent
HEAD TEACHERS OF PRIMARY ACADEMIES (3)	Louise Minter	Streetsbrook I&EY Academy (Synergy)	Present
HEAD TEACHERS OF PRIMARY ACADEMIES (3)	Holly Lynch	TGA Primary St James (Synergy)	Present
HEAD TEACHERS OF PRIMARY ACADEMIES (3)	Mark Pratt	Ulverley School (Mosaic)	Present
GOVERNORS OF PRIMARY ACADEMIES (2)	Antoinette Fisher	Dorridge Primary (Rural)	Present
GOVERNORS OF PRIMARY ACADEMIES (2)	Lynda Mackay	Knowle CofE Primary (Rural)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Claire Smith (P)	Tudor Grange Academy Solihull (Synergy)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Charlotte Shadbolt (G)	Heart of England School (Rural)	Absent
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Darren Gelder (P)	Grace Academy (Northern)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Stephen Steinhaus (P)	Solihull AP Academy	Apologies
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Stuart Shelton	St Peters RC (Synergy)	Present

SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Clare Thorpe (HT)	Langley Secondary (Evolve)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Andrew Best (G)	Smith's Wood Secondary Academy (Northern)	Absent
REPRESENTATIVE OF MAINTAINED SPECIALIST PROVISION (1) attend on rota basis	Andy Simms	Hazel Oak School (Evolve)	Present
REPRESENTATIVE OF SPECIALIST ACADEMIES (1)	Nicola Redhead	The Heights	Absent
REPRESENTATIVE OF PUPIL REFERRAL UNITS (1)	Eleanor Clarke	Triple Crown Centre (Mosaic)	Present
ELECTED MEMBERS OF THE COUNCIL (3)	Councillor Annette McKenzie (Conservative)		Present
ELECTED MEMBERS OF THE COUNCIL (3)	Councillor Michael Gough (Conservative)		Present
ELECTED MEMBERS OF THE COUNCIL (3)	Councillor Annette Mackenzie		Present
ELECTED MEMBERS OF THE COUNCIL (3)	Councillor Samantha Gethen		Present
TRADE UNION REPRESENTATIVES (2)	David Lewis	TU Rep	Present
TRADE UNION REPRESENTATIVES (2)	Gareth Eastham	NASUWT	Present
TRADE UNION REPRESENTATIVES (2)	Gary Woodhouse (Substitute Member)	GMB	Absent
REPRESENTATIVES OF EARLY YEARS PVI SECTOR (2)	Gina Godwin	Whitesmore Neighbourhood Nursery (Wise Owls)	Absent
REPRESENTATIVES OF EARLY YEARS PVI SECTOR (2)	Lisa Whitehouse	Tender Years	Apologies
REPRESENTATIVES OF POST-16 COLLEGES (2)	Lindsey Stewart	Solihull College	Absent
REPRESENTATIVES OF POST-16 COLLEGES (2)	Dr Martin Sullivan	Sixth Form College	Absent
OBSERVERS	Peter Davis	Diocesan Education Service (The Roman Catholic Archdiocese of Birmingham)	Apologies
OBSERVERS	Sarah Smith	Education for Birmingham, The Church of England	Apologies

Officers (attend as required)			
Acting DCS	Tim Browne		Present
Head of Commissioning for Learning	Steve Fenton		Present
SMBC Senior Accountant	Verity Dixon		Present
Head of SEND 0-25	Charlotte Jones		Absent
Assistant Education Business Support Manager, Children's Services	Emma Stoney		Present
Clerk	Jo Heys		Present

Item	Minute	Action
1.	Apologies for Absence 1.1. Apologies were received from Tim Baptiste, Peter Davis, Sarah Smith, Stephen Steinhaus and Lisa Whitehouse.	
2.	Purpose of meeting – for Forum to consider recommendation to the local authority regarding a Schools Block Transfer for 2024-25 (Chair) 2.1. Antoinette Fisher (Chair) welcomed everyone to the meeting and explained that the purpose of this additional meeting was to enable Schools Forum to consider and vote upon the recommendation to the local authority regarding a proposed Schools Block transfer for 2024-25. She handed over to Tim Browne.	
3.	The local area context for proposing a transfer (Tim Browne) 3.1. Tim Browne said that this was a difficult meeting with a difficult subject and that it was important to recognise how hard everyone was working and how difficult the environment is and expressed his sincere thanks to members for all they do day in day out. 3.2. He explained he did not intend to go through much detail as this had been addressed in the previous meeting of Forum, and at other meetings, but said that the proposal for a Schools Block transfer was just one of the measures to deal with the high needs block (HNB) in-year and accumulated deficit. It was known that the in-year deficit is growing and must be addressed of which a Schools Block transfer is just one measure. 3.3. He stressed that no decisions had yet been made and said he was grateful to Forum members for attending today and for their response to the consultation. He handed over to Steve Fenton.	
4.	School responses to the consultation (Steve Fenton) 4.1. Steve Fenton explained that Forum members needed to have regard to the consultation responses from schools when making their recommendation. Together with the formal consultation with schools there had been various other engagement meetings: School Finance Group, the last meeting of School Forum, a briefing and Q&A for Solihull Governors Association, a Q&A Teams meeting for all heads and governors. As well as a consultation, a Q&A had been maintained throughout the consultation and briefed regularly in the Headlines communications. 4.2. He said that yesterday a small number of schools had contacted him as they had had issues responding using the on-line form. Streetsbrook School had	

	thought they had responded and voted no to both options, echoing the reasons given by other schools. Coleshill Heath had said no to both options, with the main issue that they did not see that the local authority had a robust strategy for stopping the in-year deficit so were not likely to say yes if this was going to be a recurring request. Oak Cottage said no to both. Triple Crown Centre said no to both. Prosper MAT responded as Kingshurst on behalf of its schools and would like it recorded that the same response applied for all of the Prosper MAT schools, Kingshurst, Castle Bromwich Infants, Castle Bromwich Juniors, Windy Arbor and Fordbridge. 4.3. Steve Fenton said that Arden MAT had corresponded by email and then he had added their response into the consultation. 4.4. Stuart Shelton said that had Peter Davis been able to attend the meeting, he would have said no to both options on behalf of Our Lady of the Wayside, St Augustine's, St George and Theresa, Our Lady of Compassion and St Andrew's primary schools. 4.5. Steve Fenton added that these additions added a further 12 schools to a no to both options vote. 4.5. Steve Fenton advised Forum that together with these 54 total no responses from schools together with feedback from other engagement meetings where not a single voice was heard in favour, Forum should treat the view of schools as being 100% against any schools block transfer for 2024-25, it was safe for Forum to conclude 100% antipathy for any proposal for a Schools Block Transfer for 2024-25 and that this was a crystal clear view for Forum members, council staff and councillors. 4.6. Antoinette Fisher agreed that valid reasons had been put forward for saying no to the proposal. She added that outcomes for SEND in the borough are exceptionally good, despite the circumstances.	
5.	School Forum questions to the local authority (Forum members) 5.1. Claire Smith said she felt she had not received enough information about any alternatives and that while no school could afford to lose any money it was very different to lose 0.5% than 4%. She was saying no but cautiously as she had not had enough information about the possible alternatives that may be enforced on schools if a Schools Block Transfer did not happen. 5.2. Tim Browne said that after School Forum made their recommendation it is then a political decision if a disapplication is to be submitted. He explained that a Council meeting was being held next Tuesday 14th November when the decision on whether to submit a disapplication request would be made, then there would be another decision as part of the budget round after Christmas to make the transfer, if approved by the disapplication process. Tim agreed to communicate the Council's decision to Forum members on Tuesday evening or Wednesday morning. 5.3. Clare Thorpe said it felt like very high stakes and she didn't want it to be said that schools had been given the chance for 0.5% and didn't take it. She added the issue was the in-year spend because of children going out of authority or to special provision but the schools with the most children with EHCPs within the school would incur most. She wanted it on record that everyone had been reasonable and turned up and responded and did not want to be blamed for not taking this option. 5.4. Darren Gelder commented that it did feel like there was blame and very high pressure and that in any communications it is known there is underfunding and about the cost of out of borough placements. It had already been said that some pupils were in inappropriate settings and yet they were still there. He said the solution up until recently had been that schools needed to sort it out and the previous meeting was the first time it was suggested that other solutions might be considered. 5.5. Tim Browne stressed that the Council was not blaming anybody.	TB

	5.6. Darren Gelder clarified that he was referring to headteachers' own wellbeing and that it was important not to take any blame or burden themselves. 5.7. Tim Browne explained that they had tried to be transparent around all options. He said nothing would be proposed that had not been brought to Forum. He acknowledged that he recognised the independent school issue and regularly challenged parents' decision of an independent school place but when a case goes to tribunal, without an offer of a mainstream or special offer within Solihull that place becomes locked. He commented that we were stuck with a difficult national system that doesn't always work for children and doesn't always work for schools. 5.8. Bernie Farkas commented that parents couldn't be blamed as if cases were going to tribunal and the tribunal agreed with the parents that suggested that is the right place for that child. She said it is far bigger than Solihull not having the right places. Historically it had been the case that parental voice had been louder but parents were telling her they wanted their child to go to Reynolds Cross or Hazel Oak but places were not available. She thanked Tim for the job he had done since coming into post. She added that it was a Treasury driven problem that central Government needed to address. 5.9. Councillor Michael Gough said that he was there very much in listening mode and thanked everyone as it was good to have so many experienced heads with expertise. He said he had heard the fact members felt that had only been presented with one option and that he was there to learn. He would need to make a decision and would welcome if people had suggestions on how to fix this issue. He commented that we had been here before, in 2019 in exactly the same position so he would welcome feedback on any ideas. He appreciated the comments about Treasury funding and was in agreement but the money had to come from somewhere and while there was a need to work with Government on the funding situation, in the short term solutions need to be found. 5.10. Louise Minter said that some of the feedback from Monday's Question and Answer session was that it felt like the only solution was for schools to have the money top-sliced. However one head had raised that Solihull's Council Tax was in the lowest ten percent and asked if that was something that could be considered. Other heads had considered this a good suggestion. 5.11. Councillor Karen Grinsell replied that currently there was a precept on adult social care but no precept on children's services and that it was worth finding out if a precept would be possible. 5.12. Antoinette Fisher said that it should be on the table to consider. 5.13. Councillor Karen Grinsell commented that top-slicing was very blunt and didn't seem fair and asked what other options were available if the Schools Block transfer is not done. She said she could not quite see what could be done in Solihull to solve this and asked if there was something that could be done by everyone to bring the spend down as the out of area spend was huge. 5.14. Louise Minter said that there were lots of things going on that would have an impact but not yet. She said that heads needed to know what the new normal was now as since Covid that had changed hugely and also to accept that this was a national problem that cannot be fixed overnight. She added that The Heights had come on board but the true impact of that will not be felt for several years. The new Notional SEN budget was suggesting 10% of the budget should be spent on SEN and that was a massive amount. Schools were topping up on the significant number of EHCPs in schools and making very difficult decisions with SEN children not having TAs, impacting on other children. She said that schools were desperate and that this meeting could happen again next year as the budget is not improving. She said that if it was a joint thing with the Council providing some funds, schools may be more willing.	
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	5.15. Mark Pratt echoed Louise's comments and said schools were having to go into deficit and use reserves and asked whether other Council departments and other pots of money had been considered as that is what schools have had to do. 5.16. Darren Gelder stated that 84% of students excluded are SEN and 74% disadvantaged. Those permanently excluded were three times more likely to have a criminal record and be repeat offenders and the impact on other services is huge. Therefore, looking at other pots is relevant because if issues are not addressed in schools they become much wider. He noted that another thing was the clawback of the National Tutoring Programme and asked if Solihull had missed out by not looking at some high needs provision. He added that schools could not support children without the money and what is being recognised is that there are EHCPs that schools are not getting funding in place. A solution would be money going directly to schools. He said that for some, mainstream is not the answer but with the complexity of needs, this challenge is not going to go away. 5.17. Stuart Shelton asked if the biggest issue was the expenditure on out of borough placements. 5.18. Steve Fenton replied that it was not, it was the sheer volume of the EHCPs and the increasing complexity (higher cost) of them. He explained that The Heights was the main answer to reduce the spend on out of borough places and that there were 40 fewer placements this year thanks to The Heights that would have otherwise gone out of borough. It is a cost mitigation rather than a reduction. 5.19. Tim Browne added that there were too many children with EHCPs in specialist provision, and relatively low numbers in mainstream and that this was the DfE's stance. 5.20. Steve Fenton said that there were two issues: the national picture that the Government grant is not keeping up with real demand and also that Solihull is a statistical outlier, which made it a complex problem not a simple one. He said that all indicators show growth in both specialist places and from lower bandings to higher bandings. 5.21. David Lewis said that the latest figures were that 160 children were going out of borough, which is the same as 2-3 years ago but the cost of those places is much more expensive. 5.22. Andy Simms said that the implication that lots of children could move to mainstream is not the case. Much more outreach is needed to assist mainstream. He suggested that all of the funding streams should be re-evaluated alongside effectiveness. 5.23. Lynn Clark commented that equally some parents want their children in mainstream but if schools do not have appropriate funding this can result in anxious and violent children. If schools are given the right funding, they can meet need until transition and she gave an example. She said that Stephen Steinhaus had talked about meaningful outreach work while waiting for a physical building and that it would be interesting to see the outreach work from Apollo.	
6.	School Forum discussion 6.1. Steve Fenton said he understood how it presents as a single option but that it came from the DSG Management Plan and also built in the likely impacts over the next five years, which includes all the DBV mitigations and a remodelled set of demographic forecasts. The first iteration showed a stubborn £3.5-4million deficit. He explained that the proposal came after all mitigations and action plans had been put into the modelling and the deficit remained, so the only place to go was to have the consultation, which Forum members had given a clear view on. He added that if it felt rushed, that was because the Management Plan was only finalised in the summer	

	and the timetable requires a disapplication request to be made by 17th November, however the decision will not be until January. 6.2. Lynn Clark asked if a conversation would be happening with health, police and other stakeholders. 6.3. Tim Browne replied that a lot of work was going on with health and they were being challenged hard as it was a stubborn issue and similar for Birmingham. There was a lot of work going into joint commissioning arrangements. He commented that it was more difficult with the police but work had been done elsewhere in the country. 6.4. Claire Smith commented that Police Constable "B" was put in place and did fantastic work with children, preventing permanent exclusions and he was exactly what was needed as there was a massive hole in secondary schools. 6.5. Councillor Karen Grinsell said that this should fit into the Neighbourhood Policing Model. 6.6. Darren Gelder said that the police response was non-existent and listed the wider issues that teachers now face beyond teaching and learning. He said that often things were not happening in schools but it came back to schools, which were now acting as community hubs. He said that schools accept these wider roles but there does come a point where enough is enough as each issue takes time, money and resources but there is no spare. He added that considering the outcomes produced as a borough about what we deliver and for APs and PRUs, puts Solihull head and shoulders above others. 6.7. Claire Smith quoted Steve Fenton saying 'no conceivable circumstance where anything else would happen' but said that she knew from talking to other areas, they were being asked for 4%. 6.8. Steve Fenton replied that he was not aware of any other areas being asked for 4% and said that reading the school funding regulations he was not aware of any power the DfE had to demand a block transfer. He suggested it might be if they are in a Safety Valve authority. Tim Browne said that no-one could say that the Government won't change the rules and explained that around 36 authorities were in Safety Valve with extreme deficits and essentially a straightjacket that the DfE use to control spending and transfers could be a part of that. 6.9. Claire Smith said that response made her feel more confident as being in a DBV authority would not incur the draconian measures used in a Safety Valve authority. 6.10. Steve Fenton said in his opinion, if the decision was not to top-slice, the DfE would then want a more credible DSG Management Plan and the critical bit would be what we are going to do instead. There are too many children in special schools, not in mainstream, comparatively and the data reflects that. He explained that Delivering Better Value barely scratched the surface. 6.11. Claire Smith said she wanted to help get a more credible DSG Management Plan. 6.12. Mark Pratt asked if any work had been done on why there were too many children with EHCPs. 6.13. Tim Browne replied that the numbers are lowering and coming back into line and it is being dealt with through the measures put in place but it won't stop the DfE coming back and stating there are too many EHCPs. 6.14. Mark Pratt asked if it would help if the DfE were shown the details that all the EHCPs were needed, rather than just seeing the numbers on a spreadsheet. 6.15. Tim Browne replied that looking at the number of mainstream EHCPs, the number is about right. 6.16. Lynn Clark added that many parents want their children in primary school with their friends and that it was a really close community, where parents	
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	didn't want to send their children on transport but wanted them with the friends that they live around. 6.17. Tim Browne said he agreed. 6.18. Linda Mackay commented that EHCPs last until 25 years of age and there will be cases where that is not required. 6.19. Tim Browne said that the Government made the decision to change to 25 and did not produce any extra funding for 19-25. 6.20. Lynn Clark asked if the health department was more robust in its response at tribunals. 6.21. Tim Browne explained that the tribunal could make non-binding decisions on health and social care but binding decisions on education. 6.22. The other issue was the difficulty in trying to get contributions from other agencies for the local authority's case. He added that the whole system does not work and the local authority could not get support. 6.23. Darren Gelder suggested that that was where Councillors needed to speak to their colleagues to get them to do their bit. 6.24. Councillor Michael Gough said that some of the issues that came out of the recently finished Task and Finish Group were partnership issues, health, police and others. 6.25. Antoinette Fisher asked what would happen next Tuesday after Forum had voted. If the vote is no, what would happen and what does it look like next Tuesday, on 17th November and in January? 6.26. Tim Browne replied that it was a political decision whether to submit a disapplication. The decision could be to submit it anyway but Councillors have heard today Forum's view. 6.27. Councillor Karen Grinsell confirmed that the Councillors had heard Forum loud and clear. 6.28. Richard Marshall asked if the Council did decide to press ahead, where did that leave other options suggested in the meeting? 6.29. Steve Fenton responded that even a top slice of 1% is only £2million and the deficit is £4million so the positivity from this meeting and examining further mitigations would still need to happen. 6.30. Richard Marshall asked what was the mechanism for that to continue? 6.31. Tim Browne replied that there was a feasibility study into a new 150 place special school and health and social care was also being looked at. 6.32. Antoinette Fisher stated that schools might find a transfer proposal more palatable if it was part of a suite of options. 6.33. Tim Browne was asked if there would be any further consultation and explained that while there would not, he was sure that Councillors would take on board any further comments. 6.34. Steve Fenton added that the Council would be unwise to seek a disapplication and then not follow it through, unless a windfall was received in the December grant settlement and that a disapplication request should be seen as a signal of intent. 6.35. Lynn Clark queried the date of 2027 for the 150 place special school when the need was so urgent. 6.36. Tim Browne answered that it might be possible for 2026 but 2027 allowed for contingency. 6.37. Councillor Karen Grinsell asked if it was definitely the right route and had the right thing been built? 6.38. Tim Browne replied that provision needed to be expanded at the right time to ensure capacity wasn't being built for Birmingham rather than Solihull. The additional places could be managed in a way that benefits Solihull children most. 6.39. Darren Gelder commented that communities are judged on how young people are treated and cuts to school budgets affect what can be delivered. He said heads would need to communicate with parents and it could be a major influence on people's views of the Council.	
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	6.40. Claire Smith added that heads were always very professional and never badmouthed the local authority, no matter how frustrated they may be, however there would come a point where parents have to be informed. 6.41. Bernie Farkas asked if Forum members could be assured that Councillors will take their views into account and also to see the Management Plan. 6.42. Tim Browne confirmed this and it was agreed that the DSG Management Plan would be re-circulated to members. 6.43. Councillor Karen Grinsell said she appreciated everything that had been said and had taken everything on board. She then had to leave the meeting to attend another engagement.	SF
7.	School Forum resolution to the local authority (formal vote, counted and recorded) 7.1. Steve Fenton confirmed that every Forum member had a vote. Councillor Michael Gough said that Councillors would not vote. 7.2. Darren Gelder proposed to take a vote with regard to the suggestion of whether the local authority should take any top slice from schools from the DSG for 2024-25 with the vote to disagree with both 0.5% and 1%. 7.3. Antoinette Fisher seconded. 7.4. The vote was unanimous, with fourteen votes counted, all disagreeing with a 0.5% or 1% Schools Block Transfer. 7.5. Antoinette Fisher thanked everyone for attending and said that the suggestions made today needed to be considered further.	