

Minutes of Leicestershire Schools' Forum via Teams on Tuesday 13th June 2023 at 3:00pm

Chair / Vice Chair

Martin Towers	Secondary Academy Governor
Suzanne Uprichard	Maintained Primary Governor & PRU Representative

Present

Alison Bradley	Interim Assistant Director for Education, SEND & Commissioning
Justine Roberts	Head of Service for Education Quality & Inclusion
Deborah Taylor	Lead Member for Children and Family Services
Jenny Lawrence	Finance Business Partner, Schools, and High Needs
Rebecca Wakeley	Senior Education Effectiveness Partner
Alison Ruff	Maintained Primary Headteacher
Jo Beaumont	Maintained Primary Headteacher
Rebecca Jones	Maintained Primary Governor
Robert Martin	Maintained Nursery Governor
Ed Petrie	Primary Academy Headteacher
Alison Allford	Secondary Academy Headteacher
Julie McBrearty	Secondary Academy Headteacher
Kath Kelly	Secondary Academy Headteacher
Simon Grindrod	Secondary Academy Governor
Kelly Dryden	Academy (Special) Headteacher
Carolyn Lewis	CE Representative, Director of Leicester Diocese
Beverley Coltman	PVU Early Years Provider Representative
John Pye	RC Representative
Patrick Grant	Department for Education (Observing)

Apologies

Jane Moore	Director of Children & Family Services
Felicity Clarke	Primary Academy Headteacher
Liam Powell	Secondary Academy Headteacher
Mark Mitchley	Secondary Academy Headteacher
Julian Kirby	Secondary Academy Headteacher (Substitute)
Jason Brooks	Maintained (Special) Headteacher
Lisa Craddock	Post-16 Provider
Val Moore	Primary Academy Governor
Lauren Charlton	Primary Academy Trustee
Jane Dawda	Maintained Primary Headteacher

1. **Election / Confirmation of Chair & Vice Chair:**

Members of the forum have been informed that Patrick Grant is in attendance to observe the forum on behalf of the DfE. Patrick may be able to answer questions on behalf of the DfE, but this is not the purpose of his attendance.

Val Moore acted as temporary Chair of the last Leicestershire Schools' Forum meeting. A new Chair will need to be elected for Leicestershire Schools' Forum. Martin Towers has nominated himself for the position and has received a second nomination from Julie McBrearty; there are no other nominations and no objections to Martin's appointment as Forum Chair.

Martin Towers nominates Suzanne Uprichard as Vice Chair to the Leicestershire Schools' Forum. There are no other nominations and no objections to Suzanne's appointment as Forum Vice Chair.

2. **Apologies for Absence/Substitutions:**

Apologies provided prior to forum by Val Moore, Lauren Charlton, and Jane Dawda.

3. **Minutes of the Meeting Held on 14/02/2023 (Previously Circulated) and Matters Arising:**

The minutes of the last Leicestershire Schools' Forum were discussed amongst forum members and the opportunity to raise any issues with the record was presented; no issues of accuracy were raised.

An Induction to Leicestershire Schools' Forum was held on 5th June 2023. The induction provided an opportunity for the Local Authority (LA) and forum members to share information. In addition, the induction led to the Self-Assessment toolkit to be discussed during this forum.

4. **Schools' Forum Self-Assessment:**

The Schools' Forum Self-Assessment is a toolkit issued by the DfE. Jenny Lawrence noted that it is now appropriate to take stock on how the Leicestershire Schools' Forum is performing. Jenny acknowledged that the forum has faced issues over the last few sessions due to turnover amongst forum members and within the LA. It was agreed that Martin Towers will complete the Self-Assessment as Forum Chair before circulating the assessment to forum members for amendment and approval.

Beverley Coltman has raised concern that she is the only Early Years (EY) representative on the Leicestershire Schools' Forum. The Schools' Forum manages DSG and has oversight over funding agreements, but Beverley feels that EYs is not properly represented amongst forum members. Whilst Beverley understands that the constitution requires one representative from EYs, Beverley has interpreted this as being a minimum requirement; she does not feel that this representation is equitable.

Beverley is the Chair of the National Day Nursery Association of Leicestershire and feels that it is important that EYs settings have a voice. It is important that the profile of EY is raised as the first 5 years of a child's life are significant. Beverley has proposed changing the name of the forum to be more inclusive: "Leicestershire Early Years & Schools' Forum".

Jenny Lawrence has noted that Robert Martin is governor to a maintained special nursery and so also represents EYs on the forum. Schools' Forum regulation requires a proportionate balance between school and non-school members and there is a criterion for membership that must be met. Representation within the forum must be proportionate and balanced, not only between maintained and academies but also between primary and secondary schools.

Rebecca Jones has expressed concern that there is a degree of discussion lost by Leicestershire Schools' Forum being held online rather than in person. Rebecca noted that other representatives may feel the same as Beverley Coltman in terms of not feeling heard.

Simon Grindrod has noted that some agenda items are only for the attention or voting privilege of sub-forums, such as only maintained schools. In such circumstances, Beverley Coltman would be expected to make a decision on her own as the only

representative of EYs. However, the experience offered by the broader forum can help contribute to these decisions. Whilst Beverley agreed that there is value in the collective experience of the forum, she continued to promote a better balance of representation for EYs. Beverley maintained that EYs are overlooked and does not feel that Leicestershire Schools' Forum adds value to EYs; this is something that other LAs perform better.

Jenny Lawrence encouraged a process of collecting views from forum members on topics they want to be added to the agenda. Jenny agreed that membership of the forum needs to be reconsidered which can also consider forum representation. Issues from placements/providers should be fed to the forum through its members for these issues to be discussed and considered.

Martin Towers has requested that Beverley Coltman provide information on how other LAs incorporate EYs representation to the next Leicestershire Schools' Forum. Beverley has agreed to provide this information for the next agenda.

Martin Towers will complete the Leicestershire Schools Forum Self-Assessment. The Self-Assessment will be circulated amongst forum members for comments or amendments. The Self-Assessment will then be submitted to the LA for response.

5. **Leicestershire Scheme for Financing Schools:**

Changes to the Leicestershire scheme have been tracked throughout the consultation period. For maintained schools, the scheme ensures the safeguarding of finances and ensures that schools have the proper processes in place; it provides clarity for schools on managing the significant level of additional funds in a school's local bank account. The scheme will apply from the date that it is approved; East Midlands Shared Services (EMSS) payroll contracts cease from August 2023.

An internal working group has been convened to ensure all aspects of the payroll changes that will affect schools are considered. LEAMIS will ensure that appropriate information continues to be shared; there will need to be established mechanisms for updating the 5-year plans and for collecting statutory information that the LA must report on, such as the number of staff within numeration bands and full-time equivalents that schools employ.

Alison Ruff has questioned whether the LA will update its finance policy in accordance with the new scheme. Jennifer Lawrence has advised that the finance policy maintains all statutory provisions and requires consultation for any amendments; guidance for schools will sit outside the Scheme to allow changes to be implemented quickly.

Martin Towers does not think that the changes to the scheme are tracked clearly enough and has recommended a clearer list of amendments to the scheme.

Carolyn Lewis felt hampered by the requirement for this decision to be for maintained schools only; she represents a lot of schools and wanted this noted for future exploration. Carolyn drew forum members to Section 10 Insurance and questioned Jenny Lawrence's interpretation of the scheme and what the LA's position on school insurance policies would be. Jenny noted that no LA maintained schools take part in the Risk Protection Arrangement (RPA) and are still utilising the LA for insurance. However, **Jenny will provide further clarity on the LA's position as an appendment to the forum minutes.**

Update: Information to follow as appendment to circulated/published minutes.

Alison Ruff has drawn the forum's attention to Section 3 Instalments of the Budget Share; Banking Arrangements, Sub-section 4 Interest Clawbacks. Current interpretation allows

the LA to claim money from schools based on potential interest earned during the interim of LA payments and the schools' payroll runs. However, LA provides payroll payments the day before the schools make payments and so any interest would be nil or negligible. **Jenny Lawrence has agreed that further clarification is needed to Section 3.4 Interest Clawbacks as it is unlikely that interest would be earned during this interim.** The vote on approval for the Leicestershire Scheme was subject to this revision.

Jenny Lawrence has confirmed that Suzanne Uprichard was eligible to vote on behalf of her maintained school.

Votes to approve the Leicestershire Scheme was made by Rebecca Jones, Jo Beaumont, and Alison Ruff. Suzanne Uprichard and Robert Martin abstained from voting. There were no votes to not approve the Leicestershire Scheme.

The Leicestershire Scheme passed approval from the forum. **Communications will be released to maintained schools via the Headteachers Bulletin; this will inform of all decisions made by the forum.**

6. 2022/23 Schools' Budget Outturn:

This item was provided to inform members of the LA's financial position in relation to the Schools' Budget.

Paragraph 4 provides an analysis on areas that the LA has an underspend or overspend, including £6.7m overspent on High Needs, £1m overspend on EYs Block, and a £1.8m underspend on the schools' block. The High Needs overspend will be tackled by TSIL to ensure sustainability whilst also ensuring that the needs of schools are met.

Paragraph 5 outlines this as the third year in succession in which Leicestershire has opened additional schools. There is uncertainty around when that growth will hit due to the current housing market. The DfE are looking to standardise how school growth is funded and will move towards a standardised approach in 2024-25.

Paragraph 6 details that maintained school balances have decreased by £2.2m. This reduction is consistent with messages from schools regarding financial pressures which may also impact on High Needs position. The LA is trying to understand the significant factors of these pressures but the unique position and circumstances to schools makes this difficult. The LA will continue to scrutinise financial plans.

A financial risk assessment is undertaken for schools including their financial performance from the previous years to assess adherence to budget plans. Schools with the highest concern will receive visits from someone within the finance team as a method of support.

Simon Grindrod has expressed concern that the pressure to reduce expenditure on High Needs has led to either a reduction or a delay of provisions. Current provisions are not allowing schools to fund the requirements of EHCPs. Simon noted that a reduced overspend is not beneficial if it impacts the provisions available. Furthermore, Simon felt that there needs to be an investigation into the provision of plans and their timeliness; the whole process must be considered for discussion, how provisions are funded and how the LCC plans to break on its expenses.

Jenny Lawrence has clarified that there is no planned break on the LA's High Needs spend. The reported reduction in overspend is due to a slower roll out than expected in opening new resource bases in schools with some places delayed due to planning issues and age profiles for the school.

The LA seeks to balance its funding for SEND budgets with the needs of the children. It has been acknowledged that there are problems revolving around timely and accurate payments to schools, which has been raised frequently by schools for LA attention. The TSIL workstream is looking at finance workstream improvements and more robust processing. It would be beneficial to bring members of the Leicestershire Schools' Forum into discussions regarding workstream improvements.

Robert Martin commented that it would be interesting to acquire the views of schools and their experiences. The LA saving on overspends does not help children with SEND. In addition, each decline in provisions results in EHCPs which cost more to support and transitions to special provisions schools, which will ultimately cost the LA more money. Robert expressed that a review of schools' views should be presented to the forum at future meetings.

Robert Martin reported instances around the county in which schools aren't receiving SEND funding; parents have been told by SENCOs that provisions are unavailable due to delays in funding. Whilst these reports were anecdotal and second hand, Robert noted that these reports had come in from various sources.

Jenny Lawrence provided clarification to the discussion, noting that the LA was not reporting an underspend but was reporting a reduction in deficit. Furthermore, where some schools have expressed concern that they are not receiving funding to cover EHCPs, Jenny noted that the first £6,000 to support EHCPs is the responsibility of the school and not the LA as per legislation.

Carolyn Lewis has questioned the collective understanding of the notional £6,000 to be paid by schools to cover EHCPs. Not every child on the SEND register requires funded support but Carolyn noted schools' understanding that where a child has an EHCP it should fall to the LA to fund this entirely. Carolyn was concerned that there wasn't a shared understanding of what the £6,000 is or how it should be applied; she has questioned whether the DfE should provide clarification on this. Simon Grindrod noted pushback from schools that the £6,000 expectation is questionable.

Jenny Lawrence clarified that the £6,000 expectation for schools to cover EHCPs was written in legislation and was not subject to LA interpretation. Jenny has previously issued guidance, information, and structure charts on how funding for SEND works; this can be provided again for forum members: [High Needs Funding: 2022 to 2023 Operational Guide](#), [School's Operational Guide: 2022 to 2023](#), [The Notional SEND Budget for Mainstream Schools: Operational Guidance](#).

Simon Grindrod has requested the opportunity to present case studies to the Leicestershire Schools' Forum to explore different provisions for SEND.

Alison Bradley noted that concerns for SEND funding are considered as part of the TSIL workstream. Comments from maintained schools are fed back to DfE and representatives are encouraged to sit as part of the workstream. Recommended changes are done within the system of TSIL and must not be done in isolation.

Paragraph 10 refers to the 3 Tier intervention programme from the DfE. The highest tier covers safety valve agreements for highest deficits, agreed actions, and additional funding from DfE. The second tier delivers better value within SEND, which is where the Leicestershire LA sits; its deficits are concerning but not as high and does not require immediate intervention. The lowest tier of intervention consists of discussions between the respective LA and the DfE. Leicestershire LA is in phase two of this programme and is confident that it is moving in the right direction, which is reflected in DfE improvement plans.

The LA attempted research into what causes surplus or deficit within schools – there is no significant correlation between the size of a school and its deficit, the National Funding Formula appears to be less beneficial to schools with less than 220 pupils. There are many factors which affect the financial position of schools, and the environments are complex, making identifying causes difficult.

A financial planning tool is available to maintained schools and some academies, which can also be accessed by governors to assess their schools' finances against efficiency models issued by the DfE, giving them a means to challenge their schools. Broader work around this has been attempted through Leicestershire Education Excellence Partnership (LEEP) but it has been delayed due to staff turnover.

7. **TSIL Update:**

Alison Bradley delivered a TSIL updates as a reflection on the activities and workstreams that have taken place throughout the year in partnership with Newton Europe. EYs has been amongst TSIL focuses, considering the transition of children into mainstream or special provision schools and setting specific planning to identify offers to schools for inclusivity and SEND. Alison covered pages 69 – 76 of TSIL Update agenda item.

Robert Martin expressed concern that the timeliness of Education Psychology assessments is reducing; he reported that Leicestershire has the lowest timeliness rating in the country. Contacting SENA is difficult and the caseload for practitioners is high due to reduction in SENA staffing levels. Robert has questioned whether SENA has enough staff to fulfil statutory duties, whether this is acknowledged by TSIL and, if so, what plans there are to tackle these concerns. Robert has expressed concerns that marginal changes will not be enough to improve Leicestershire's position.

Alison Bradley provided assurance that TSIL is considering the efficiency of workflow in all aspects. TSIL will consider the profile of demand, decision making, the assessments received, and seeks to manage the expectation of parents. However, Robert Martin has questioned whether there are enough efficiencies to be found within TSIL to make up the required improvements; he questioned whether there is a fundamental benchmark issue relating to staffing and caseloads which underpins the question of whether the LA has enough staff in SENA. Alison noted that it is important that TSIL's considerations are robust; whilst there are perceived delays in remodelling, impacts must be evidence based to ensure correct solutions.

Alison Ruff has looked at the 'Every Teacher is a Teacher of SEND' handbook and toolkit and believed that it was helpful. Alison agreed with Robert Martin, however, that the number of children with SEND are not decreasing and there has been an increase in SEND requirements. There is not enough funding in Leicestershire.

John Pye has noted that there has been a lot of fact finding and attempts to make better use of available resources. However, it is difficult to reduce deficit whilst continuing to provide support. It is not clear what funding actions have been made available but headteachers have been critical; there are only so many committees and toolkits that schools can partake in when not feeling adequately supported. Alison Bradley apologised that she could not respond directly to this at the time, but the LA is exploring the connecting factors of concern areas; work into the SENA service will link to funding streams which will in turn link to inclusion schemes. This is a complex programme to which the LA cannot make changes in isolation, and so it welcomes contribution from school leaders.

Simon Grindrod has noted that there is no materials or advice for schools to inform parents of how SEND should work; schools have difficult and sensitive conversations

with parents and there is no training or guidance on what should be said. Simon was concerned that staff and governors are not trained to discuss SEND and other sensitive topics. Alison Bradley encourages Simon to bring these concerns through the SEND Hub to TSIL for consideration. Alison has also advised that SENDIAS is a third-party agency that schools can use for SEND advice.

8. **Any Other Business:**

Robert Martin has requested an update from Jenny Lawrence on whether provisions can be given SEND funding where there has been delay.

Update: It can be confirmed that funding is provided from the point and EHCP is agreed.

9. **Actions:**

1. Martin Towers has requested that Beverley Coltman provide information on how other LAs incorporate EYs representation to the next Leicestershire Schools' Forum. Beverley has agreed to provide this information for the next agenda.
2. Martin Towers will complete the Leicestershire Schools Forum Self-Assessment. The Self-Assessment will be circulated amongst forum members for comments or amendments. The Self-Assessment will then be submitted to the LA for response.
3. Jenny Lawrence will provide further clarity on the LA's position on Section 10 Insurance of the Leicestershire Scheme for financing schools as an appendment to the forum minutes.
4. Jenny Lawrence to revise Section 3.4 Interest Clawbacks of the Leicestershire Scheme for financing schools as per the approved vote.
5. Communications to be released to maintained schools via the Headteachers Bulletin; this will inform of all decisions made by the forum.

10. **Date of Next Meetings:**

Tuesday 12th September at 2pm.

Tuesday 13th February at 2pm.

13th June 2023

CHAIRMAN: Martin Towers