

**Minutes of the Leicestershire Schools' Forum  
via Teams on Tuesday, 13 February, 2024 at 2pm**

**Chair / Vice Chair**

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

**Present**

|                   |  |
|-------------------|--|
| Jane Moore        | Director of Children & Family Services                 |
| Alison Bradley    | Assistant Director for Education, SEND & Commissioning |
| Deborah Taylor    | Lead Member for Children & Family Services             |
| Jenny Lawrence    | Finance Business Partner for Schools & High Needs      |
| Rebecca Wakeley   | Education Quality & Inclusion Service                  |
| Dan Cleary        | Academy Secondary Headteacher                          |
| Jude Mellor       | Academy Secondary Headteacher                          |
| Kath Kelly        | Academy Secondary Headteacher                          |
| Mark Mitchley     | Academy Secondary Headteacher                          |
| Peter Leatherland | Academy Secondary Headteacher                          |
| Ed Petrie         | Academy Primary Headteacher                            |
| Rosie Browne      | Academy Primary Headteacher                            |
| Simon Grindrod    | Academy Secondary Governor                             |
| Alison Ruff       | Maintained Primary Headteacher                         |
| Jane Dawda        | Maintained Primary Headteacher                         |
| Jo Beaumont       | Maintained Primary Headteacher                         |
| Phil Lewin        | Maintained Primary Headteacher                         |
| Rebecca Jones     | Maintained Primary Governor                            |
| Rosalind Hopkins  | Maintained Special School                              |
| Beverley Coltman  | PVI Early Years Provider                               |

**Apologies**

|                 |   |
|-----------------|---|
| Beth Clements   | Interim Head of Service for Education Quality & Inclusion |
| Felicity Clark  | Academy Primary Headteacher                               |
| Kelly Dryden    | Academy Special Headteacher                               |
| Val Moore       | Academy Primary Governor                                  |
| Lauren Charlton | Academy Primary Trustee                                   |
| Jason Brooks    | Maintained Special Headteacher                            |
| Robert Martin   | Maintained Nursery Governor                               |
| Carolyn Lewis   | Diocese of Leicester Director                             |
| Lisa Craddock   | Post-16 Provider  |
| John Pye        | RC Representative   |

1. **Apologies for Absence/Substitutions.**

Apologies provided for Carolyn Lewis, Felicity Clarke, Jason Brooks, Kelly Dryden, and Val Moore. Beth Clements, Lisa Craddock, John Pye, Robert Martin, and Lauren Charlton did not attend.

2. **Minutes of the Meeting held on 21/11/2023 (previously circulated) and Matters Arising.**

Martin Towers discussed the minutes of the last Leicestershire Schools' Forum with forum members, presenting the opportunity to raise any issues or request amendments to the record. Rebecca Jones has noted that she is incorrectly listed as a Headteacher; she is a Primary Maintained Governor representative.

Martin Towers covered the three action points from the last forum:

1. Martin was to circulate a template to forum members that could be used by schools to address matters of concern with the Department for Education (DfE). **This template was not sent. Martin will send this template to forum members following this meeting.**
2. Martin has issued a letter to the DfE addressing the impact that changes to disapplication may have on smaller schools. The letter to the DfE has been included with the agenda, as well as the DfE's response.

Jenny Lawrence has amended the Growth Policy to reflect timescales in which the LA must provide funding to schools, as agreed in the last forum. This has been circulated to forum members.

3. **De-Delegation for School Improvement.**

The report was presented to the forum by Rebecca Wakeley, Senior Education Effectiveness Officer. The report presented the consultation response on the proposal for de-delegation of funding for school improvement functions for Local Authority (LA) maintained schools.

LA maintained headteachers have been consulted on de-delegation through a 4-week consultation period and a survey (see **Appendix A**). (Special schools are not included in de-delegation and so were not included in the survey.) Throughout this period, LCC Education Quality met with school collaborative committees, individual headteachers, and governors to ensure that all parties were well informed.

The survey had positive results. Of the 73 schools impacted by de-delegation, 61 schools engaged with the survey and offered responses. 37 schools (61%) agreed that the core offer from the LA offered good value for money. Of the proposal to offer £18 per pupil, 50 schools (82%) agreed with the proposal; 3 schools (5%) responded that they did not know if the proposal was good; 7 schools (12%) disagreed with the proposal; 1 school (2%) omitted a response. The responses from this survey have indicated support from headteachers for forum to approve the proposed de-delegation.

The comments provided by the headteachers shared a common theme highlighting the financial challenges faced by schools, although this did not change the positive reception to the proposals.

Recommendation: Schools Forum representatives for maintained schools are recommended to approve continued de-delegation for LA school improvement functions for maintained schools in 2024-25 at a rate of £18 per pupil.

Approved: 6 Rejected: 1 Abstained: 0

#### 4. **2024-25 Schools' Budget.**

The report presented the 2024-25 Dedicated Schools' Grant (DSG) settlement for Leicestershire and the 2024-25 School Budget. The report highlighted that 2024-25 will be the second year in a row in which the DfE has not funded Leicestershire sufficiently to allow the National Funding Formula to be fully delivered. The County Council's Cabinet agreed on 9 February 2024 that capping gains on schools is the only viable option to close the affordability gap.

Simon Grindrod has asked if Leicestershire is unique in being underfunded or whether other LAs experience similar funding issues. Simon has also questioned whether there is anything the forum can do to push back against insufficient funding. Jenny Lawrence has reported that other LAs are facing similar affordability gaps and have needed to cap funding. Schools and LAs are not funded on the same census data, which means that funding gaps grow as the levels of additionalities increase.

2023-24 is the first year in which schools have accessed more growth funding than what was budgeted, and funding has been drawn down from the DSG reserve.

Recommendation: Schools Forum approves the retention of the budget to fund future school growth.

Approved: 16 Rejected: 0 Abstained: 0

The LA is funded from the schools' block to perform its statutory duties for all schools, as presented in the report. The DfE has guaranteed that funding will be sufficient to meet historic premature retirement costs.

Recommendation: Schools Forum approve the retention of budgets to meet the prescribed statutory duties of the LA and to meet historic costs.

Approved: 15 Rejected: 0 Abstained: 1

The LA receives funding for central early years expenditure. Centrally retained funding must not exceed 5% of the Early Years DSG, meaning a 95% pass rate to providers which is met for 2024-25.

Jane Dawda has inquired whether the LA gains the difference in any funding lag as the Early Years DSG remains subject to change as indicated on Pg. 27 of the agenda. Jenny Lawrence has noted that the LA will not know the funding for 2025-

26 until July 2025. There isn't a direct match between the Early Years requirements and the funding. However, the LA is statutorily required to fund places for eligible children where parents require that provision. This may result in a surplus or a deficit which is carried by the LA until there is an opportunity to address it.

Recommendation: Schools Forum approve the centrally retained early years funding.

Approved: 16 Rejected: 0 Abstained: 0

The DfE will allow funding to be allocated within the funding formula for 2024-25 but requires all lease agreements by the end of April 2024 to continue that approval for 2025-26. Whilst the LA has been doing this for a long time, the DfE wants greater visibility and decision making from the Schools' Forum.

Recommendation: Schools Forum note the DfE approval for use of the exceptional premises factor in respect of schools that incur rental costs for premises and / or sports facilities and the adjustments made in respect of age range changes.

Approved: 15 Rejected: 0 Abstained: 1

To reduce the affordability gap, Paragraph 31 to 38 of the report has set out viable options. All schools receive a minimum funding guarantee from the National Funding Formula (NFF), regardless of caps and scaling restrictions. Whilst capping and scaling have been required all funding allocated to Leicestershire for the NFF has been provide to schools in the 2024-25 funding formula.

Additional funding cannot be utilised to close the affordability gap due to Leicestershire LA's financial position. In addition, providing more funding to the NFF requires approval from Secretary of Education. The LA can reduce the values of the NFF in conjunction with capping and scaling, amending the Leicestershire Funding Formula to match the NFF, which requires consultation and approval by the County Council's Cabinet. This is not possible given the timeline between the receipt funding allocations and the DfE dataset in which school budgets are constructed. These datasets are constructed in late December and the required submission of schools' budgets in mid-January.

Recommendation: Schools Forum note the actions taken by the local authority in applying Capping and Scaling to the National Funding Formula for the purposes of affordability.

Approved: 13 Rejected: 2 Abstained: 1

The LA has informed the DfE of the number of commissioned places for state funded specialist institutions for 2024-25 academic year. Jenny Lawrence has noted that this prediction is difficult as actual numbers are not known until September of the relevant year. The return represents the minimum number of places to be commissioned. The LA can fund for additional places, if necessary, but the LA must fund for the estimated places at a minimum even if those places are not required. LA negotiates with institutions and in conjunction with SENA and providers to agree places to be commissioned (see **Appendix E**). Historically, the LA has always

funded additional places over and above those on the commissioning return. LA is responsible for funding all institutions in Leicestershire, even if those places are being filled by children from other authorities. The numbers provided to the forum in the report are the LA's minimum financial obligation.

Recommendation: Schools Forum notes the number and average cost of commissioned places for children and young people with High Needs.

The Early Year provider rates for 2024-25 have increased by £0.58 per hour for 3- and 4-year-olds and by £1.68 per hour for 2-year-olds. The rates, as delegated through cabinet and the lead member, will meet provider cost but 5% is retained by the Early Years' service, meaning the rate given to the providers will always be less than calculated.

Recommendation: Schools Forum notes the Early Years Provider payment rates for 2024-25.

The Notional SEN budget is a sub-calculation of the NFF; as a result, it has increased in line with the NFF. The LA's actions to meet Special Educational Needs (SEN) where the notional budget remains insufficient remains the same (as outlined in Paragraphs 72 to 74).

Recommendation: Schools Forum approve the action to be taken in respect of schools where the Special Educational Needs (SEN) notional budget is insufficient to meet the aggregated value of High Needs Funding Element 2.

Approved: 16                      Rejected: 0                      Abstained: 0

The LA has a mandatory requirement to remove funding from schools following the permanent exclusion of a student. The average per pupil funding is calculated with reference to the 2024-25 funding formula and is taken from the excluding school and given to the admitting school.

Recommendation: Schools Forum note the average per pupil funding to be taken into account for recoupment for excluded pupils and other purposes

## 5. **Any Other Business.**

Jane Moore presented a report that provides an update on the Transforming SEND and Inclusion in Leicestershire (TSIL) programme. The report details the work taking place so far within programme and references other work being undertaken within the service. There is a disproportionate number of pupils with EHCPs in Leicestershire compared to similar authorities. Spend on placements alone exceed the total funding received through the High Needs Block of the Dedicated Schools Grant.

Through 2023, TSIL moved into the implementation phase of implementing identified changes. The level of service within SENA was not able to meet the levels of demand. The service has undertaken a reset, including restructuring, and has projected the level of provisional growth needed to deal with the level of demand. This has resulted in SENA receiving additional funding, as well as dedicated teams

for assessments, placements, and reviews. The intention is to improve productivity and timelines and the LA is optimistic of the amended model.

Simon Grindrod has asked what measures are being used to monitor improvements through TSIL and what the timescales are for impending changes. Jane Moore noted that team managers are better equipped to use data to manage their teams; as per Paragraph 30, managers can review weekly Key Performance Indicators (KPIs) to ensure strong oversight of performance. Paragraph 26 of the report has detailed additional resources to allow SENA to have more meaningful conversations with parents. **Jane will provide a suite of performance indicators of SEN performance to future forums.**

Rosalind Hopkins has questioned whether there is any early evidence to suggest that the TSIL programme's impact is offering value for money. KPIs mentioned in Paragraph 30 does not offer quantifiable results. Rosalind expressed concern that TSIL is not having the required impact and value for money. Jane Moore noted that that investment is mapped across the totality of the programme and that the LA predicted that the investment would not be recouped in savings during the programme's first year. The LA is still confident that it will achieve outcomes as the paper taken to Cabinet sets out reductions in cost. KPIs may not clearly evidence outcomes and experience within the first year of TSIL but the LA expects these impacts to be forthcoming throughout the programme.

The metrics used will be brought to future forum meetings by Jane Moore as the measures for inclusion and publication to schools would be useful to schools' information.

The Inclusion Practice Toolkit should rely less on anecdotal evidence to determine how it has been received by schools. The forum has recommended that a survey be completed for schools. Jane Moore agreed that more work is needed to gain a more in-depth view of what is working.

Simon Grindrod has questioned what the improvements to service will be to overcome regular problems. Simon has raised concerns regarding continued issues and delays in EHCP funding. EHCP funding is for fixed hourly rates despite the rising cost of provision due to inflation. Simon has also raised concerns regarding the delays in funding for EHCPs caused by the LA rejecting an EHCP application, only to accept the application before it is heard at appeal; the cost of this delay is subsidised by the school.

Jane Moore provided assurances that TSIL is looking at how the LA funds EHCPs to allow schools to fund on needs rather than funding on hours. Whilst in a position where LA is funding on hours, this will remain an issue as the LA has no powers to rectify. This is something the LA is working on with schools to resolve and to relieve pressure.

Jane Moore also provided assurances regarding EHCPs that decisions are made on the information provided and what is believed to be right for the child. When rejections are turned to approvals, this is for the better interest of the child and school to not go through the lengthy process of the tribunal. Whilst the tribunal overrules many EHCP decisions made by the LA, it doesn't change the LA

perspective that an EHCP was not required. However, Simon Grindrod suggested that the change in the LA's decision comes too late, resulting in the school subsidising costs throughout the process.

Regarding the 2024-25 Schools' Budget, Beverley Coltman queried the report which stated that funding rates for 2-year-olds increased by £1.68 but the actual figure shows a £0.60 decrease against 2023-24 rates. This was clarified after the meeting by the following:

The DfE introduced a new funding formula to pay Local Authorities for 2-year-olds in 2024-25, as the funded hours would no longer just be covering disadvantaged children. The new hourly rate for Leicestershire providers is lower than the hourly rate received in 2023-24, which included the one-off Supplementary Grant. For 2024-25, providers will also be able to access Disability Access funding and Early Years Pupil Premium for two years olds which they were unable to before.

6. **Actions.**

1. Martin Towers will circulate a template to forum members that schools can use to address matters of concern with the DfE.
2. Jane Moore will present performance indicators to a future Schools Forum.
3. Jenny Lawrence will check the figures in the 2024-25 Schools' Budget relating to 2-year-olds with the Early Years team and provide clarification to Schools' Forum. This clarification has been appended to these minutes.

7. **Date of Next Meeting.**

The date for the next Leicestershire Schools' Forum is **Tuesday, 18 June 2024** from **2pm – 4pm.**

This page is intentionally left blank