

**Minutes of the Leicestershire Schools' Forum
via Microsoft Teams on Tuesday 17th September 2024 at 2pm.**

Chair / Vice-Chair

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

Attended

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
Ed Petrie	Academy Primary Headteacher
Rosie Browne	Academy Primary Headteacher
Lauren Charlton	Academy Primary Trustee
Dr Jude Mellor	Academy Secondary Headteacher
Kath Kelly	Academy Secondary Headteacher
Mark Mitchley	Academy Secondary Headteacher
Peter Leatherland	Academy Secondary Headteacher
Kelly Dryden	Academy Special Headteacher
Rebecca Jones	Maintained Primary Governor
Robert Martin	Maintained Nursery Governor
Rosalind Hopkins	Maintained Special School
Beverley Coltman	PVI Early Years Provider
Carolyn Shoyer	Diocese Of Leicester Director

Observing

Ian Sharpe	LCC Service Manager, School Organisation
David Warwick	GMB Union

Apologies

Felicity Clark	Academy Primary Headteacher
Dan Cleary	Academy Secondary Headteacher
Val Moore	Academy Primary Governor
Alison Ruff	Maintained Primary Headteacher
Phil Lewin	Maintained Primary Headteacher
Samantha Cooke	DNCC Representative
Kelly Dryden	Academy Special Headteacher
Simon Grindrod	Academy Secondary Governor
Jo Beaumont	Maintained Primary Headteacher
Jason Brooks	Maintained Special Headteacher
Lisa Craddock	Post-16 Provider

1. Apologies for Absences/Substitutions.

Apologies provided for Alison Ruff, Dan Cleary, Felicity Clark, Phil Lewin, Samantha Cooke, and Val Moore.

Jason Brooks, Jo Beaumont, Kelly Dryden, Lisa Craddock, and Simon Grindrod did not attend.

2. Minutes of the Meeting held on 18/06/2024 (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. There were no amendments to previous minutes.

Peter Leatherland noted that he and Rosalind Hopkins were nominated to represent the forum at the SEND Schools Group but had not received any communication regarding meetings. Alison Bradley confirmed that a meeting for the SEND Schools Group occurred on 1st July; both were invited but no other meetings have been held. **Alison and Jenny Lawrence will ensure that Peter and Rosalind are invited to any further meetings on the SEN Investment Fund and Schools Block Transfer meetings if they are necessary.**

3. Elections for Chair / Vice Chair.

Alison Bradley recommended that the election of Chair and Vice Chair be aligned to the Local Authority (LA) financial year to align with financial settlements rather than the school academic year. There were no objections to the recommendation. Martin Towers and Suzanne Uprichard will continue as Chair and Vice-Chair respectively.

4. Early Years Funding.

The Early Years (EY) Funding report provides information on the progress towards recovering the overspend from the Early Years Dedicated School's Grant (DSG). Paragraph 4 details the LA's 2023-24 overspend, in which £0.13 was withheld from the 3- and 4-year-old FEEE, resulting in a reduction of the shortfall. In 2024-25, the LA will withhold a further £0.02 to continue to recoup the deficit, as previously reported to Schools' Forum.

Recommendation: The Schools' Forum note the contents of the report.

Beverley Coltman raised a concern regarding the expansion of 2-Year-Old-Funding (2YOF) to 9-month-old children. This resulted in an enormous administrative cost to providers and additional employments, but EY settings haven't received additional funding to cover the cost. **Jenny Lawrence noted that the LA's administrative costs are met within the 30% pass through rate and costs for providers are met from the hourly rate.**

Beverley Coltman raised concerns on behalf of the National Day Nursery Association regarding the burden on EY providers to manage the costs of new systems and processes, such as transferring 2YOF and 3YOF, which requires manual transitioning. This is time and labour consuming, which costs EYs settings.

5. School Financial Standing.

The School Financial Standing report sets out the 2023-24 financial position for Leicestershire schools as published by the Department for Education (DfE). The report also details how the LA will use this information to inform discussions on school performance and the expansion of the Notional SEN Budget, as per the recent publication of 2023-24 guidance. The report indicates that individual school budgets have increased higher than the Notional SEN Budget.

Recommendation: The Schools' Forum notes the content of the report and:

- a) The intention of the LA to expand the Notional SEN Budget calculation for 2025-26 to include FSM and Ever 6 Free Schools Meals.
- b) To consider the financial data presented in this report within assessments of school performance and in assessing requests for Exceptional SEN funding.

The school balance information presented within the report is taken from previous years. The DfE has used balances submitted from Multi Academy Trusts (MATs) portioned out for their academies, which means that reports on school balances for academies is not accurate to individual schools. **Jenny Lawrence agreed to share a link with Schools' Forum to illustrate how the DfE publishes data regarding school balances.**

NB. DfE Publication: [Data Sources & Interpretation.](#)

Kelly Dryden noted that the information presented in the report will be used to support LA funding decisions on supporting children with SEN, informing LA discussions with schools and requiring schools to evidence their spends. Kelly questioned whether this has been communicated with schools and, if not, how it would be. Jenny Lawrence confirmed that no communication with schools has been made yet regarding the school balance information obtained from the DfE. In addition, Jenny noted that this supports LA discussions on broader issues faced by schools beyond SEN, such as struggling small primary schools. The LA will be transparent that they have this data and how the data will be used.

Robert Martin questioned whether the available information would change how the LA interpreted the school's obligation of the first £6k of the Notional SEN. Jenny Lawrence confirmed that the school's obligation of the first £6k is enshrined in legislation and cannot be changed by the LA.

Kath Kelly noted that 47% of schools in MATs have in-house deficits which are expected to get worse this academic year. However, this is not reflected in the data set provided for 2022-23. Jenny Lawrence reminded the forum that

information presented is taken from the DfE's publication. The data shows that school balances increased during Covid-19 and, whilst decreasing, remain higher than pre-Covid-19.

The DfE data attributes MAT balances across MAT schools. However, MATs may have schools across different councils and do not fund their schools evenly; schools as part of the same MAT may be funded better or worse in Leicester than in Leicestershire, which is not reflected in the report. Jenny Lawrence acknowledged that the data presented has limitations, but balance information is taken from a publicly available DfE data source.

Suzanne Uprichard observed that the Notional £6k and 10k placements was set before rises in inflation. Suzanne questioned whether this will be updated to reflect increased costs. Jenny Lawrence informed the forum that the LA will not know about any changes until new budgets are set by the new government. However, Jenny noted that with the £6k and 10k placements being set, the burden of inflation is carried by the LA.

6. **SEN Investment Fund & Schools Block Transfer.**

The School Block Transfer Final report was released on the morning of 17th September. Jane Moore addressed concerns regarding the lateness of papers being circulated to forum members; the document was released for the Forum's review and consultation and will be voted on during the next Schools' Forum in November 2024. The report was released to Schools Forum to align with the commencement of the consultation and to ensure it was sighted before the meeting.

The LA has proposed the establishment of a SEN investment fund where funding is ratcheted to reduce the growing prevalence of pupils presenting with Social, Emotional and Mental Health Needs (SEMH). The LA has previously detailed and reported the position of the High Needs Block, the work done to reduce spending and to move to a position of not overspending, as well as setting out the national position of High Needs funding. The report sets out the LA's proposal to establish a ringfenced SEN Investment Fund through a transfer of funding from the Schools Block to the High Needs Block of the Dedicated Schools Grant (DSG).

The funds from the Schools Block transfer would be ringfenced and used exclusively within schools as a redistribution of funding within the system. The LA's data analysis showed that SEMH was the pressing and growing driver of EHCP's in the SEND system. The School Block Transfer report sets out more detail on how practitioners would be funded to support young people and help young people to manage and recognise triggers. The LA seeks consultation on whether SEMH would be the best use of funding and whether this is the right approach. Jane Moore noted that this would be an annual process, but the impact of this funding would not be seen until 2026-27.

The LA proposed a 0.5% Schools Block to High Needs Block transfer modelled on the current schools funding system by capping annual funding gains at individual school level. This proposal has challenges, such as some schools

having protected levels of funding which cannot be removed. There is a £1.5m cash yield from primary schools, 60% of which would see a reduction. There is less cash yield from secondary schools but 80% would see a reduction. The report models the proposal on 2024-25-year data.

The consultation on the 0.5% Schools Block to High Needs Block transfer will close on 20th October 2024. The consultation feedback will be analysed and presented to Schools' Forum on 4th November. If the LA cannot obtain approval from the Schools' forum, the LA will determine whether approval will be sought from the Secretary of State.

Recommendation: The Schools' Forum note the proposed actions.

Recommendation: The Schools' Forum consider submitting a formal response to the consultation.

Mark Mitchley claimed that the LA has failed in every attempt to reduce the High Needs deficit. Mark questioned why schools would have confidence in the LA. Jane Moore reminded the forum that the transfer would fund the needs of children within mainstream provision; the money would not fund SENA or the Education Psychology services but would fund pupils with SEMH needs. The transfer would not fund capacity issues but would redistribute funding within the overall SEND system. Jane also reminded the forum that the LA is not solely responsible for meeting high needs.

Peter Leatherland questioned the impact of a Safety Valve agreement being triggered. The LA's proposal takes money from schools to fund interventions schools are already providing without addressing the deficit. Jane Moore explained that a Safety Valve takes all responsibility on how money is spent away from LAs and schools; it takes control of changes to services and provisions. The LA has been advised to consider a Schools Block transfer by the DfE; the funding is to be used specifically to meet the needs of pupils with SEMH and reduce the future call on High Needs funding.

Carolyn Shoyer supported the position of a system-wide challenge. However, Carolyn noted that the LA has a responsibility for the sufficiency of school placements. There is a heavy reliance on expensive school provisions despite school leaders being willing to provide physical space for high need placements and work positively with the LA. Carolyn questioned how health services can be co-located into schools to positively impact SEMH to reduce the escalation of need.

Carolyn Shoyer observed the unlikelihood of the Schools Block transfer to be approved by Schools' Forum but encouraged the LA to escalate the request to the Secretary of State. The LA's message to the Secretary of State should be that funding and system reform are both required.

Rebecca Jones noted that schools work hard to ensure that budgeting is correct so that children receive the best support. Removing money from schools makes this more difficult. Furthermore, Rebecca felt that seeking approval from the Secretary of State to overturn a decision of Schools' forum undervalues the

forum's purpose. Jane Moore reflected that requesting approval from the Secretary of State is the standard process if Schools' Forum don't approve a transfer; despite this, Mrs Deborah Taylor noted that approval from the Secretary of State is not guaranteed. In addition, Jane has not criticised the position or the job that schools are doing. Jane encouraged the need to be on the same page; whilst the proposal will not benefit individual schools, it is for the benefit of children with SEN in Leicestershire.

Rosalind Hopkins queried whether there was evidence to suggest that the proposed approach and spending would have a positive impact on meeting need. After much discussion between members, Jane Moore agreed that the approach was not currently based on evidence. Jane Moore indicated that whilst the LA would like to work with all parties to make a strong case on how funding would be spent, opposition to the transfer has made this difficult. This would be the focus of discussion should the Schools Block transfer be agreed.

Peter Leatherland questioned whether there was a means to determine whether all special schools were full and what could be done to reduce the deficit. Jane Moore observed historic difficulties in moving children back into mainstream once in a special provision. Special schools are full, and each school has been expanded. However, some units attached to mainstream schools were built for specific needs which need to be reviewed to ensure they continue to do so. The LA should work with schools where units have spaces to determine how barriers can be removed to facilitate placements.

Rosalind Hopkins feared that the proposed transfer would have adverse effects on inclusion in mainstream schools. Jane Moore shared concerns but reminded the forum that the proposal has been made due to Leicestershire's funding position and the expectation of the DfE's Delivering Better Value programme.

Suzanne Uprichard determined that there is a need to understand why there are larger than expected increases in the number of children with SEN in Leicestershire. A concerted effort to understand this is required to resolve the issue. Jane Moore directed the forum to the summer ISOS Publication report which set out the challenges of the SEN system, which cannot be fixed by directing more funding into it. Instead, the report suggested that the SEN system is only fixable by understanding higher instances of SEN, capacity in schools, and the expectation of parents. **Jane will circulate the ISOS Publication report with the minutes.**

NB. ISOS Publication report: [Towards an Effective and Financially Sustainable Approach to SEND in England](#).

Rebecca Jones requested that Schools' Forum compile a response to the Schools Block transfer consultation without involvement from LA officers. **Martin Towers will circulate a form requesting input from forum members, which will be used to draft a collective response.**

7. Any Other Business.

There was no other business to be raised.

8. **Date of Next Meeting.**

The date for the next Leicestershire Schools' Forum is **Monday 4th November 2024** from **2pm – 4pm**.

9. **Actions.**

1. Alison Bradley and Jenny Lawrence will ensure that Peter Leatherland and Rosalind Hopkins are invited to any further headteacher meetings to consider the Establishment of a SEN Investment Fund and Schools Block Transfer should it be necessary to hold future meetings.
2. Jenny Lawrence to confirm with Administrations whether the 30% pass through rate covers administrative costs. Provided in minutes.
3. Jenny Lawrence to share a link with Schools' Forum to illustrate how the DfE publishes data regarding school balances. Provided in minutes.
4. Jane Moore to circulate the ISOS Publications report with the 17th September minutes. Provided in minutes.
5. Martin Towers will gather input from Schools' Forum members to draft a collective response to the Schools Block transfer consultation.

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