



**MINUTES OF THE SCHOOLS FORUM**  
**Wednesday 26 February 2020 at 6.00 pm**

<b>Membership</b>	<b>Representing</b>
<b>PRESENT:</b>	
Governors	Mike Heiser (Chair) Geraldine Chadwick Jo Jhally Tim Jones Titilola McDowell Michael Maurice Narinder Nathan
Headteachers	Martine Clark (Vice-Chair) Gill Bal Lesley Benson Russell Davey Michelle Ginty Gerard McKenna Raphael Moss Andy Prindiville
Trade Union	John Roche
Early Years PVI	Paul Russell
16-19 Provider	Mark Stacey
Leader of the Council	Councillor M Butt
Lead Member	Councillor Agha
Officers	Dena Aly Olufunke Adediran Brian Grady Kunwar Khan Andrew Ward

**1. Apologies for Absence and Membership**

Jayne Jardine (Special Headteacher), Vivien Dean (Pupil Referral Unit) and Martin Beard (Secondary Governor).

Kunwar Khan (Governance Officer, Brent Council) informed the Schools Forum that the Forum now had the following vacancies in total:

- 1 Nursery Governor
- 1 Primary Governor
- 1 Academy (Primary) Headteacher
- 1 Maintained (Secondary) Headteacher
- 1 Early Years PVI Representative

Kunwar Khan indicated that these vacancies to represent the respective sector would be advertised via Headteachers Bulletin and Governors Bulletins to all schools.

### **Introduction and welcome**

The Chair welcomed the Leader of the Council, Councillor M Butt. The Chair stated that the Cabinet Member responsible, Councillor Agha, had been regularly attending the Schools Forum meeting and he was glad to have the Leader of the Council attending this meeting as well.

Councillor M Butt thanked the Brent Schools Forum and appreciated the role, efforts and contribution of its members. He added that the Council shared the pain of cuts the Schools Forum was facing and reiterated his desire to continue to work together in order to do the best for Brent children.

### **2. Declarations of Interest**

None.

### **3. Deputations (if Any)**

None.

### **4. Minutes of the previous meeting**

Received from Councillors.....

### **5. Actions arising**

**Action 52:** The consultation on schools funding had taken place, and would be reported on at this meeting. This action was now **concluded**.

**Action 54:** To review the change in the split of terms for NEG payments. This had been followed up separately. This action was now **concluded**.

**Action 55:** To consider feedback from forum members that some parents were waiting until a child was three years old to start their early years education journey; to discuss the challenges of high maintenance costs for early years providers in meeting the demands of delivering the 30-hours free childcare offer; and to provide more information about the Nursery Education Grant (NEG) would be considered at the next Early Years Sub Group. Andrew Ward (Head of Finance, Children & Young

People, Brent Council) stated that the date for the Early Years Group meeting had not yet been arranged, but would be timetabled between January and February Schools Forum. Meeting had now been held, where the early years block budget (report included in the agenda pack) was discussed. This action was now **concluded**.

**Action 56:** To review the split-site funding to confirm how allocation met the stipulated Brent criteria. Dena Aly (Senior Finance Analyst, Children & Young People, Brent Council) confirmed that the checks had been undertaken and would be evidenced in a future Schools Forum report. This information was on the agenda included in the report on the updated schools funding formula. This specific action was **concluded**. *{The Schools Forum under the agenda item 9, which would be recorded as a new action 62 below, requested an overall review of split-side funding mechanism.}*

**Action 57:** A member of the Forum referred to the suggestion made at the last meeting that there should be a cap on split site funding due to economies of scale. Andrew Ward stated that the methodology would be brought in a future paper and that any change would not require consultation with all schools but would be subject to a Schools Forum vote. A member of the Forum responded that they would like to see the financial impact of any proposed change. Andrew Ward to revisit and if appropriate, to bring an update to the January Schools Forum. **This action was being looked at in conjunction with Action No 56 and was anticipated to be covered in June 2020. (Action 57: Dena Aly)**

**Action 58:** Members of the Schools Forum were requested to support the option set out in paragraph 4.3.5 to secure the continuation of the BCA Champion role in Brent schools for a further two years. It was likely that this would be achieved through schools own budgets. In relation to this an update to be provided as part of the next six monthly update. **This would be covered at the June meeting. (Action 58: Brian Grady / Farzana Aldridge)**

## 6. DSG Deficit

The Schools Forum received a report from Andrew Ward, Head of Finance - CYP informing them of the Department for Education's response and direction following the consultation on DSG deficits.

In considering the report and during the discussion, the following key points were noted:

- Many Councils including most London Boroughs were forecasting a deficit on their DSG by the end of 2019/20. The DfE had consulted on how to treat these deficits and thereon responded that DSG deficits could be carried forward against future year's DSG allocations.
- Having allocated additional High Needs block funding for 2020/21, the expectation was that councils work towards balancing their in-year position on the High Needs block and recover any accumulated deficits over a multi-year period. There was a risk that this would not be possible if the number of Education Health and Care Plans (EHCPs) continued to increase.

- The current position, as reported to the Schools Forum in January 2020, was that overall the Brent DSG would go into a deficit of approximately £4m at the end of the 2019/20 financial year. This was due to the rising demand on the High Needs block driven by the significant increase in the number of children and young people with EHCPs.
- The £4m deficit was the forecast position after reserves had been used and eliminated. Expenditure on the High Needs block was forecast to exceed income by £7m in 2019/20.
- The DfE announced in January 2020 that the terms and conditions would be amended to make it clearer that Local Authorities could recover DSG deficits from future DSG allocations.
- DSG funding had increased for 2020/21, including an additional £5m for the High Needs block. The additional High Needs block funding, plus a £0.9m transfer from the Schools Block, and measures to contain expenditure meant a balanced budget would be set for the High Needs block.
- The DSG budget being set would not attempt to recover any of the deficit incurred in 2019/20, so longer-term actions were required in addition to continued lobbying for sustained further increases in funding. A task group was being set up by the council to coordinate and monitor these actions, details of which were stipulated in paragraphs 4.5.1 to 4.5.6 of the report.
- The Association of Directors of Children's Services has requested that the DfE provide feedback to local authorities on what were the effective actions in the council recovery plans that have been reviewed.
- The consultation response did not mention the production of recovery plans. The Council was setting a balanced DSG budget for 2020/21 with the £5m increase in High Needs funding being allocated against the pressures in the block in consultation with the Schools Forum. It would not reduce the deficit, which would carry forward into 2021/22. A combination of longer-term recovery actions and anticipated funding increases would reduce the deficit in the medium term. The main and clearest risk to this strategy was that the number of EHCPs would continue to rise.
- Collaborative work was underway to find more capacity/resources under the joint working arrangements through the West London Alliance (WLA) – two more authorities were in the process of joining the WLA.
- A Schools Forum Member raised a query whether there was a scope for more congruence between the financial assumptions between the local authority and the central government.
- Once the local authority's DSG was in deficit, it usually came under the purview of the Council/S151 matter but the DfE might want to retain the ownership with a view to possibly influence a future spending review.

## **RESOLVED that:**

1. The Schools Forum notes the contents of the report.
2. To draft a letter, on behalf of the Schools Forum, signed by the Chair, to raise the relevant issues with appropriate authorities.

***(Action 59: Olufunke Adediran/Andrew Ward)***

### **7. Early Years National Funding Formula 2020-21**

The Schools Forum received a report from Dena Aly, Senior Finance Analyst - CYP informing that following the confirmation of the provisional Early Years Block DSG funding for Brent, the local Early Years Funding Formula needed to be set for 2020/21.

In considering the report and during the discussion, the following key points were noted:

- There had been increases to the funding rates allocated to Brent for 2-year-old, and 3 and 4-year-old provision. The LA continued to retain 5% of the total allocated to Brent, with 95% allocated to providers.
- The base funding rate to providers made up 90% of allocated funding. The deprivation factor allocated the remaining 10%, based on the IDACI index, which was updated in 2019.
- It was recommended that for 2020/21, the following were applied to the Early Years National Funding Formula:
  - a) A universal base rate for Brent providers for 3 and 4 year old funding of £4.53 per hour. This had increased from £4.46 in 2019/20
  - b) An allocation for deprivation for 3 and 4 year funding of 10%
  - c) A base rate for Brent providers for 2-year-old funding of £6 per hour
  - d) A cap on centrally retained funding by the local authority to 5%
  - e) The funding previously allocated under a misapplication for the 2017/18 academic year for additional 15-hour places for some 3 and 4-year-old based on local eligibility continued to be allocated to the Under 5s' Nursery Panel. Both PVI and maintained providers could apply for this, to ensure the funding continued to be targeted at vulnerable children
- The Schools Forum noted the details concerning the funding from central government to the local authority; a universal base rate for Brent providers for 3 and 4-year-old funding; specialist nursery panel, additional resources for maintained nursery schools; centrally retained funding by the local authority; a base rate for Brent providers for 2-year-old funding; and early years funding based on DfE provisional allocations.
- The paragraph 4.2, Table 1 of the report, provided a summary of the change.

- Section 10, Table 4 of the report, laid out how the funding would be spent. The additional spend of 8p in the two year old rate was covered by increased funding in July due to increased take up. Section 10 of the report provided the total Early Years budget.
- The Schools Forum requested that setting-by-setting information; how much was being spent; who received the money and how the money was being distributed be provided at a future meeting.
- PVI representative felt that minimum wage for Private, Voluntary and Independent (PVI) sector, pensions for teachers and others factors and restrictions presented a massive cost pressure and providers in PVI were pushed to the wall. Brent needed to be more proactive and there had been a massive underestimation of cost pressures on PVIs.
- Early Years education was one of the most vital moments in a child's education and the point at which attainment and life chances could be set. However, not all early years provisions were equal. Children, especially those from disadvantaged backgrounds, make the best progress when taught by highly qualified early years professionals but this came at a cost. The 30 free hours offer risked negatively affecting quality and this was affecting the poorest, most vulnerable and deprived children.
- Leader of the Council, Councillor M Butt, commented that given the overall impact of cuts on Brent's children, he would like to see more noise and efforts from stakeholders outside of this room. He stated that the Forum might wish to examine how Brent fared vis-à-vis with other relevant boroughs and its neighbouring authorities. He was of the view that the Council drastically depleted its own reserves, S151 officer, auditors and the DCLG would be vigorously pursuing the leadership team to explain and put in place measures to tackle any underlining issues. Councillor M Butt added that if the central government funding situation concerning schools in the Borough continued, Brent would fall further behind amidst medium and long-term problems despite its excellent progress and efforts therefore Brent could not just accept the situation as a fait accompli. Councillor Butt informed the Schools Forum that he would raise this issue at the executive meeting of London Councils to start the conversation and raise the profile of this issue.

**RESOLVED:**

1. The Schools Forum endorsed Brent's Early Years Funding Formula for 2020/21.
2. The Schools Forum requested average setting-by-setting information, how much was being spent, who received the money and how the money was being distributed.

***(Action 60: Dena Aly/Olufunke Adediran)***

## 8. High Needs Block 20-21

The Schools Forum received a report from Andrew Ward, Head of Finance – CYP informing them of the detailed High Needs Block budget for adoption in 2020/21. Following the discussion theme under the previous item, in considering the report and during the discussion, the following key points were noted:

- The High Needs block budget for 2020/21 was set to balance to available resources including the £0.9m Schools Block transfer. The total budget stood at £62.2m.
- The High Needs block funding had been confirmed at £61.3m for 2020/21. This was £5m more than that received in 2019/20 but only represented a 9% increase compared to the national increase in High Needs funding of 11%.
- In addition, the Schools Forum had approved a Schools block transfer of 0.4% totalling £0.9m. Total funding for the High Needs block in 2020/21 was £62.2m.
- The Schools Forum sub-group for High Needs met on 12 February 2020 to discuss the High Needs block budget and any changes and the final detailed budget was provided in appendix 1 of the report.
- In terms of risks:
  - The budget allocated the available resources within the constraints of the funding that was available for the provision of SEND. The budget aimed to achieve an in-year balance between expenditure and income and did not reduce the forecast deficit that would be brought forward from 2019/20.
  - Given the increased demand for SEND provision, there were some clear risks and challenges to the aim of achieving a balanced outturn in 2020/21.
  - The main risk was that the number of children and young people with EHCPs continued to grow at the same rate as in recent years, rather than the growth levelling off. With in borough special provision becoming full, greater use would have to be made of out of borough and independent settings.
  - There was also the risk of price inflation for SEND provision in out of borough and independent settings. This could be partly mitigated by effective commissioning arrangements such as using the WLA.
- Appendix 1 to the report provided the line-by-line details.
- The Special School Headteacher, Russell Davey, highlighted that the Special School High Needs funding rates had been frozen for the last 10 years, and officers responded that there was an uplift two years ago. Russell Davey undertook to provide the relevant detail to the officers directly.

- Concerning EHCPs in general as well as the assumption about levelling off made in paragraph 6.3 that stated that *'The main risk is that the number of children and young people with EHCPs continues to grow at the same rate as in recent years, rather than the growth levelling off. With in-borough special provision becoming full, greater use will have to be made of out of borough and independent settings.'* A fruitful discussion was had on this issue and a majority of Headteachers collectively felt that there was lack of clarity and support on this issue and a better way of articulating 'levelling-off' ought to be found given the unprecedented demand and incredible pressure, complex needs, together with, a holistic approach to this area.
- The overall system was reviewed in the last year's OFSTED inspection and was, overall, doing well. There were a few delays/drag around therapies and a few other areas, which could be improved and become more effective. With this in mind, to increase the capacity of the relevant panels with more expertise from the schools.

**RESOLVED that:**

1. The Schools Forum notes the contents of the report.
2. To set up a task and finish group to review the situation concerning High Needs and the EHCPs with increased expertise from the schools.

**(Action 61: Dena Aly/Olufunke Adediran)**

**9. Updated 2020/21 Schools Funding Formula**

The Schools Forum received a report from Andrew Ward, Head of Finance – CYP confirming the final schools funding formula allocations as well as the split site funding allocations against the stipulated Brent criteria.

In considering the report and during the discussion, the following key points were noted:

- In January 2020, Schools Forum approved the schools funding formula allocations. This followed a consultation with schools on changes to the funding formula in order to address financial pressures caused by rising costs, pupil mobility, and to provide funding to support rising pupil rolls in secondary schools.
- Following submission to the DfE for compliance checks an error was identified with the pupil numbers included in the funding formula. Finance officers had corrected the error by adjusting the calculations to fit within the available funding whilst continuing to adhere to the same principles agreed for the 2020/21 funding formula.
- Subsequent to the January Schools Forum meeting, some adjustments were necessary to the funding formula to correct errors in the entered pupil numbers. The revised school level allocations were shown in Appendix 1 of the report.

- Once the DfE checks on this were complete, the school level allocations would be published for all schools by the end of February (in addition to the school level High Needs Block allocations and Early Years Block estimates).
- Table 1 of the report titled '2020/21 Funding Formula Changes' showed the overall value of the changes made since the January Schools Forum.
- Table 2 of the report detailed the assessment of schools against split site Funding Criteria.
- Table 3 of the report provided details about split site funding allocations for 2020/21.
- Appendix 1 of the report provided School Level Allocations for 2020-21.
- Appendix 2 highlighted the 2020-21 Funding Formula Rates with Pupil Funding Factors.
- More money was now being given to the Shires and North East including places like Sussex – further details and data was available on the DfE's website.
- A Secondary Headteacher highlighted that there was a big drop of £728,000 in the secondary finding overall. He felt that this was a huge adjustment not a minor one and was not highlighted in the report analysis. He added that every single Secondary school in Brent was affected. It was commented that this could be due to minimum funding guarantee (MFG). The Secondary Headteacher further enquired whether this was mentioned in January papers as he would not have voted for the budget in January had he known about this. The Chair asked for clarity and more analysis based on why and how things changed between January and February reports, particularly how it affected the primary and secondary schools.
- Another Headteacher reiterated to a previous request whether the upper cap should be considered for split-site funding.
- The Chair added that the upper cap could not randomly be applied without looking at the whole process and split site funding criteria.
- The Leader of the Council, Councillor M Butt, supported the request to review the overall split-site funding arrangements with more specific and clearer criteria. The Schools Forum agreed to receive a split-site review report at the June 2020 meeting. The review report would take into account views by the Headteachers.

#### **RESOLVED:**

1. Schools Forum recommends the final schools mainstream funding formula for 2020/21.
2. The Schools Forum to receive a split-site review report at the June 2020 meeting.

3. The Schools Forum to establish a Working Group to review the issue of split-site funding allocation.

**(Action 62: Dena Aly/Olufunke Adediran)**

## 10. Updated Scheme for Financing Schools & Schools Financial Regulations

The Schools Forum received a report from Dena Aly, Senior Finance Analyst - CYP detailing the changes to be implemented to the Scheme for Financing Schools and the Schools Financial Regulations.

In considering the report and during the discussion, the following key points were noted:

- All changes applied in the revision were in line with the Department for Education's Scheme for Financing Schools – Statutory Guidance issued to all local authorities, changes to the Local Authority's own regulations, and all other relevant regulations.
- The Scheme for Financing Schools was being updated to reflect changes to contract procurement values, to clarify tendering arrangements, and clarify pension administration responsibilities.
- The 2020-21 Scheme for Financing Schools was attached as Appendix A to the report, with the summary of changes being detailed in Appendix B of the report. These changes would be effective from 1st April 2020.
- The Schools Financial Regulations was being updated to reflect changes to contract procurement values and to clarify tendering arrangements.
- The 2020-21 Schools Financial Regulations is attached as Appendix C of the report, with the summary of changes being detailed in Appendix D of the report. The changes would also become effective from 1st April 2020.

### **RESOLVED:**

All proposals to revise the Scheme for Financing Schools were approved by the Schools Forum.

The Schools Forum was requested to approve the amendments to the Scheme for Financing Schools 2020-21. **(CARRIED)**

All proposals to revise the Schools Financial Regulations must conform to the Local Authority's Constitution encompassing the Financial Regulations and Contract Standing Orders approved by the S.151 officer. **(CARRIED)**

Schools Forum is requested to note the amendments made to Schools Financial Regulations 2020-21. **(CARRIED)**

## 11. Any Other Urgent Business

The Schools Forum noted that this was Andrew Ward's last meeting as he was moving on to another area within the Council. Members recorded their thanks for the work and support provided by Andrew to the Schools Forum.

The meeting closed at 7.53pm

M HEISER  
Chair