



**West
Northamptonshire
Council**

West Northamptonshire Schools Forum

Minutes of a meeting of the West Northamptonshire Schools Forum held at the Council Chamber, The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 13 December 2022 at 2.00 pm.

Present: Paul Wheeler – Vice Chair (PW)
Beccy Merritt (BM)
Dan York (DY)
Lee Hughes (LH) – online
Iain Massey (IM)
Vanessa Bradley (VB) – online

Substitute Members: Kathryn White (KW) – online

Also Present: Councillor Fiona Baker (FB)
Richard Poole, Unison (RP)
Andy Langford, Unison (AL)
Rachelle Wilkins, GMB (RW)
Robert Johnston, NASUWT (RJ)

Apologies for Absence: Louise Samways
Peter French
James Shryane
Rachel Martin
Jon Lake
Karen Lewis
Jenny Thorpe
Hayley Walker
Eliza Hollis

Officers: Ben Pearson, Assistant Director – Education (BP)
Emily Cooledge, Strategic Finance Business Partner (EC)
Beth Baines, Senior Finance Business Partner (BB)
Andy Pymm, Project Manager – SEND Funding (AP)
Shazia Umer, Head of Place Planning and Pupil Admissions (SU)
Rosemary Kavanagh, HR Specialist – Strategy and Projects (RK)
Simon Bowers, Assistant Director – Assets (SB)
James Edmunds, Democratic Services Assistant Manager (JE)
Diana Davies, Democratic Services Officer (DD)

1. **Apologies for absence and Forum Membership Changes**

Apologies for received from Peter French, Karen Lewis, Jon Lake, Hayley Walker (substituted by Kathryn White), Rachel Martin, Eliza Hollis, Louise Samways, James Shryane and Jenny Thorpe.

Schools Forum was advised that Lyndsey Barnett had stepped down as the Maintained Nursery representative. The sector had nominated Beccy Merritt, the Headteacher of Wallace Road Nursery School in Northampton, to take the place.

2. **Declarations of Interest**

PW declared in relation to agenda item 9 (Schools PFI Update) that he was the Chief Operating Officer of the East Midlands Academy Trust, which included a school in the Northampton Schools PFI Scheme.

LH declared in relation to agenda item 9 (Schools PFI Update) that he was the Chief Operating Officer of the Peterborough Diocesan Education Trust, which included a school in the Northampton Schools PFI Scheme.

3. **Minutes**

RESOLVED: that the minutes of the meeting held on 18 October 2022 were agreed as an accurate record.

4. **2022-23 DSG Monitoring**

EC presented the report and highlighted that the DSG forecast outturn position for Quarter 2 was an overspend of £2m, which represented a deterioration of £1.6m from the previous quarter. The key factor in the forecast pressure was increased demand for educational placements and the need to use out of county placements to meet this. Mitigating actions were being taken.

Schools Forum considered the report. PW requested clarification of whether there had been a carry-forward into the current DSG budget and of the latest position regarding the High Needs block recovery plan. BP advised that more information on the recovery plan would be provided by the later item on the agenda for the current meeting. However, it would be helpful to bring the detailed recovery plan to Schools Forum.

RESOLVED:

- That Schools Forum noted the forecast outturn position for 2022-23.
- That Schools Forum requested confirmation of whether there had been a carry-forward into the 2022-23 DSG budget.
- That Schools Forum agreed to have a standing agenda item at future meetings updating on action to address pressures on the High Needs block.

5. **DfE/ESFA Funding Announcements**

EC introduced the item, which was intended to advise of the latest funding announcements and lead into a wider discussion about the funding environment for schools, as requested by Schools Forum.

EC advised that the final funding settlement was now expected around the end of the current week. The Autumn Statement had included an additional £2.3bn funding for core school budgets in each of the next two years, which would restore per-pupil funding to the 2010 level. It had not yet been confirmed how this additional funding would be provided. There remained uncertainty about pressures on schools resulting from factors including pay awards, inflation and energy costs. The details of government capital funding support for schools' energy costs were also still to be confirmed.

PW noted that extra funding for the sector was welcome but current and future demands would still leave a strain on school budgets. Schools Forum was invited to consider whether it should seek to make further representations on this matter alongside West Northamptonshire Council (WNC).

In response to questions EC and BB advised that additional funding was likely to be distributed on a formula basis. In the previous year additional schools block funding had been provided on a per-pupil basis, together with some additional High Needs block funding that the local area could decide how to distribute.

IM referred to the example of a large secondary school going into deficit due to the impact of pay awards and energy costs. There would be a gap left to fill if additional funding was not received in 2022-23. PW considered that this was likely to reflect a typical experience for a well-managed school.

BP encouraged that Schools Forum should keep in touch with the pressures affecting the sector and discuss how these might be mitigated. The Local Government Association had identified that there was approximately £2bn pressure on Higher Needs at the current level of demand, which needed to be set against the additional funding in the Autumn Statement. Small early years providers could also be put at risk by small increases in pressures in the current climate. The new Ofsted local inspection framework had been published in the previous week; significantly, before the outcomes of the national review of Special Educational Needs and Disabilities (SEND) provision and the national SEND delivery plan. It was hoped that additional funding might be associated with their publication.

FB advised that the f40 Group of local authorities had recently sent a detailed report on pressures associated with SEND provision to the Department for Education (DfE) and was awaiting a response. Collective action on this kind of issue was more productive.

RESOLVED: that Schools Forum noted the update.

6. High Needs Budgets

EC introduced the report and outlined current financial assumptions relating to the High Needs Block budget. WNC was waiting for confirmation of its share of additional funding announced in the Autumn Statement. Work to quantify and manage pressures was continuing but the situation remained volatile with the risk of additional demands.

BB set out the special schools indicative budget for 2023-34, which WNC was required to provide to schools before the end of February. Special schools were largely full so a significant increase was not expected. The overall budget for 2023-24 was £23.9m. The report also presented the High Needs places in West Northamptonshire as at the end of 2022.

BP introduced AP who had joined WNC recently as a project manager for improvement work on SEND and had given this significant extra momentum. Improvement work included co-production of a needs analysis, building on the Mastodon survey of young people's needs. The annual school capacity (SCAP) survey for 2023 was due to include a specific return on SEND for the first time, which would enable a better dialogue with the DfE about demand and provision. WNC would also carry out a sufficiency analysis of provision in schools and other settings to inform a more pro-active future approach.

AP gave an overview of the current SEND funding project, which was designed to provide consistency and clarity of SEND funding across West Northamptonshire, highlighting the following points:

- The project covered funding both for children and young people with Education, Health & Care (EHC) plans and for those without an EHC Plan but who received additional funding.
- The project working included providers and parents from the Northamptonshire Parent Forum Group.
- It was aimed to launch the new funding framework resulting from the project in schools, units and early years settings on 1 September 2023 and on a later date in further education settings.
- WNC currently used a Resource Allocation System (RAS) to allocate funding to special schools. It was planned to extend the use RAS software into other settings. Information events would be held to present this to settings.
- Financial modelling was currently being done for both elements of the project. An update could be provided to the next Schools Forum meeting.

DY sought reassurance about the quality assurance process that would apply to data informing the future approach; how early years would be involved in the new approach given that early identification of needs helped to address them; the basis for introducing SEND Ranges ahead of the current work; and how the current work would help to address pressures on the High Needs block. DY also emphasised the importance of transparency in the approach being taken and the outcomes sought from it.

BP made the following additional points during the course of discussion:

- Quality assurance of data would be supported by the collaborative approach to the project, which would produce a collective view of current provision and future needs.
- He agreed that early identification of needs should be taken into account in future planning. The SCAP would use school census information, birth data and information on housing growth to produce a projection of future demand.
- SEND Ranges was the local version of the graduated approach. It should be a tool that can be used to identify funding for the next academic year. There would be support for providers in the transitional phase and WNC would also need to ensure that its SEND panel process was effective.
- Streamlining processes, improving consistency and enhancing transparency were key principles behind the approach being taken.
- A more consistent and rigorous approach to allocating funding would put WNC in a better position to benchmark costs and identify any providers charging at an outlying rate. This would assist in managing pressures on the High Needs block.

RESOLVED: that Schools Forum noted the update and welcomed further updates to future meetings.

7. **2023-24 WNC Schools Funding - outcome of consultation and final proposals**

BB introduced the report and set out the results of consultation on 2023-24 WNC Schools Funding.

For Specialist Services the consultation presented two specific options: a top slice of £2.2m from mainstream school budgets to fund both specialist services centrally; or a 0.5% schools block top slice with SEN service funded centrally but sensory impairment service charged at the point of delivery. There had been 19 consultation responses in favour of option 1 and 38 in favour of option 2.

For Split Site Policy the consultation proposal was to roll forward the existing local policy from 2022-23 and to use the same rates. There had been 43 responses in favour and none against on both elements.

For Growth Fund Policy the consultation proposal was to roll forward the existing policy from 2022-23 with updated rates and the addition of a clause to allow funding of extraordinary growth events, such as children arriving in-year as refugees. There had been 46 responses in favour of the proposal relating to the Policy and 2 against. There had been 45 responses in favour of updating the rates and 3 against.

Central expenditure from the central schools services block consisted of some historical commitments and ongoing responsibilities. The consultation proposal concerning the continuation of the central services that are partly funded by DSG received 48 responses in favour and none against.

For the maintained schools de-delegation for Trade Union (TU) Facilities Time the consultation presented three options: continuation of the de-delegation as in previous years; continuation of the de-delegation but with 10% less Facility Time, as previously suggested by Schools Forum; and operate an arrangement for facility time

within individual schools. Option 1 was supported by 11 responses, option 2 by 22, and option 3 by 2.

For the maintained schools de-delegation for School Improvement Grant the consultation proposal was to continue the de-delegation. There had been 24 responses in favour and 3 against.

For the maintained schools de-delegation for redundancy support the consultation proposal was to continue the de-delegation at a rate of £4.00. There had been 26 responses in favour and 1 against.

TU representatives present were then invited to address Schools Forum on the maintained schools de-delegation for TU Facilities Time.

RP supported the continuation of the previous de-delegation for TU Facility Time, as set out in option 1 in the consultation. The per pupil rate had remained at £2.10 for some years and had not been increased last year to the difficult economic climate. Schools were now outsourcing their HR functions, which was increasing demand on TU representatives at the same time as their capacity was under pressure. A 10% reduction in Facility Time as proposed in option 2 would cause issues to escalate more quickly and delay resolutions.

RW supported the continuation of the previous de-delegation, commenting that TU Facility Time contributed both to reducing the risk of cases going to a tribunal and also to managing TU members' expectations.

RJ supported the continuation of the previous de-delegation, commenting that it was short-sighted to reduce Facilities Time in the context of increasing demand from factors such as the need to review new policies.

BP advised that he could include an item in HeadWest encouraging early consultation by schools on employment changes.

DY commented that TU representatives played a crucial role in school life. The case for continuing the previous de-delegation and increasing the per pupil rate from £2.10 to £3.57 had been made and was understandable. However, it came at a time when schools were dealing with increased overall costs. The consultation responses were likely to reflect this.

RP noted that £3.56 per pupil had been the average rate in the East Midlands for the past three years and Northamptonshire had been paying less. Changing now would involve a big jump from £2.10, which was why it had not been done in the previous year.

PW commented that carry forwards from previous years had enabled the per pupil rate to be kept low previously whilst the pool of maintained schools contributing was also reducing. This created the need for a greater increase to match the regional average but this was not supported at this time by the consultation responses.

BB noted that WNC had to work within set parameters concerning spending within different budget blocks and the central schools services block was reducing by 20% each year. This raised the question of how additional funding could be found as well as future approaches to de-delegation to take into account changes in the number of maintained schools. BP noted that the Schools Forum was responsible for deciding the de-delegation relating to maintained schools. There were other means of engaging with academies concerning buying in to TU Facility Time.

PW invited Schools Forum members to raise any questions or comments on other elements of the 2023-24 WNC Schools Funding proposals. In response to a question BB clarified that there was an error in the report concerning the de-delegation for School Improvement Grant and that the proposed rate for 2023-24 was £5.50.

Schools Forum then considered and reached a decision on each element of the 2023-24 WNC Schools Funding proposals set out in the report in turn.

Specialist Services

RESOLVED: that Schools Forum agreed the approach to funding specialist services in 2023-24 set out in option 2 in the report: 0.5% schools block top slice, SEN service funded centrally but sensory impairment service charged at the point of delivery.

Split Site Policy

RESOLVED: that Schools Forum agreed to roll forward the Split Site Policy from 2022-23 and to use the same rates as the 2022-23 split site rates.

Growth Fund Policy

RESOLVED:

- That Schools Forum agreed to roll forward the Growth Fund Policy from 2022-23, increasing the rates and adding a clause to allow extraordinary growth events to be funded.
- That Schools Forum agreed the Growth Fund weighted numbers as set out in the West Northamptonshire Schools Budget Consultation 2023-24 consultation document.
- That Schools Forum agreed to set the Growth Fund budget at £1.6m for 2023-24.

Central budgets from the Central Schools Services Block of the DSG

PW requested Schools Forum members to confirm if they had any comments or concerns about any of the proposed central budgets from the Central Schools Services Block of the DSG or were content to reach a decision on them as a group. No issues were raised.

RESOLVED: that Schools Forum agreed the central budgets from the Central Schools Services Block of the DSG for 2023-24 as set out in the report.

Maintained schools de-delegation for TU Facilities Time

PW noted that two of the three maintained schools representatives had been unable to attend the current meeting but he was aware that DY had sought views from the sector ahead of the decision. DY emphasised that his role on the Schools Forum was to represent all maintained primary schools.

RESOLVED: that Schools Forum agreed the approach to the de-delegation for Trade Union Facility Time in 2023-24 set out in option 2 in the report: Continuation of the de-delegation but with 10% less facility time.

PW emphasised to the TU representatives that their work was appreciated. The fact that Schools Forum had concluded that option 1 was not the right approach at this time should not be seen as a negative view of the contribution made by TU representatives.

Maintained schools de-delegation for School Improvement Grant

RESOLVED: that Schools Forum agreed the proposed continuation of the de-delegation for School Improvement Grant and the rate of £5.50.

Maintained schools de-delegation for Redundancy Support

RESOLVED: that Schools Forum agreed the proposed continuation of the de-delegation for Redundancy Support and the rate of £4.00.

8. **Early Years Funding Formula for 2023-24**

BB presented the draft consultation proposals for the Early Years Funding Formula for 2023-24. It was highlighted that the consultation document currently included two versions of the proposals pending confirmation of funding rates in the December settlement. The final version of the consultation document would feature a single set of proposals. BB went on to summarise key factors taken into account in the 2023-24 proposals.

BM and KW sought further information about how the 5% of 3 and 4 year old funding retained by WNC was used. BP advised that the consultation document did include some information on this but further information could be provided to Schools Forum if necessary. PW subsequently suggested that it could also be helpful to expand the information in the consultation document.

BP highlighted the reference in the consultation document to WNC's intention to distribute £500K to providers in 2023-24 from a £1m reserve within its DSG balances resulting from reduced uptake of nursery places during the COVID-19 pandemic. This was not part of the consultation but an in-year measure intended to recognise pressures affecting providers.

RESOLVED:

- That Schools Forum requested to receive further information on how the central 5% retained budget is used.

- That Schools Forum endorsed the draft consultation proposals subject to the following additions:
 - Inclusion in the consultation document of more information on how the central 5% retained budget is used.
 - Inclusion in the consultation document of a single version of the proposals to reflect the Early Years National Funding Formula rates that are confirmed in the DSG settlement for 2023-24.

9. Schools PFI Update

PW noted that this item had arisen from concerns about issues connected with the Schools PFI contract, particularly the impact on schools of significant increases in facilities management (FM) costs made after 2022-23 budgets had been set. Schools Forum had sought an update on the situation at its meeting on 18 October 2022 to assist in identifying and managing future demands. A report had not been provided for that meeting or for the current one. This was a very disappointing situation for Schools Forum. PW welcomed that SB was now present to give an overview of the current direction.

SB highlighted that WNC was an evolving authority and he was best-placed to deal with this item at the current meeting. The position relating to FM costs and charges was continually changing. This was why a report had not been brought to the last Schools Forum meeting, although he apologised if this had not been communicated clearly. The position remained fluid and he was only able to set out the best projection at this point, which was a challenging one.

SB gave an overview of the background to the Schools PFI, FM costs and funding, and the likely position for 2023-24, highlighting the following points:

- In 2005 the value of school FM charges was calculated as a percentage of the overall charge. Charges had subsequently been varied to reflect changes in facilities at individual schools.
- It was difficult to compare FM charges for PFI schools to those for other schools due to limited data on other schools available to WNC; differences between schools' facilities; different approaches to FM; and the fact that PFI contracts involved an element of financial risk that the contractor included in its price.
- The current economic climate made it very difficult to predict the inflation rate in April 2023 when FM charges would actually be applied. DSG funding had been inflated by 11.2% in accordance with the DfE. The WNC draft budget for 2023-24 needed to meet an overall budget gap of £35.6m and there was no allowance for meeting Schools PFI inflationary costs.
- RPIX inflation was currently projected at approximately 13%, although there had recently been some signs of easing. Inflation at this level would result in an estimated FM base unitary charge of £34.249m for 2023-24. This would produce an FM charge of £19.855m, representing an increase of £2.284m.
- The estimated position for 2023-24 involved an increase in FM charges to individual schools of £916K over the DSG increase, equivalent to £43 per student enrolled.
- Views from a schools' perspective about how to address this challenging situation were welcome. SB was ready to work through the implications with

individual schools. Schools were also encouraged to contribute to consultation on the WNC draft budget.

Schools Forum considered the update and members raised the following points during the course of discussion:

- PW noted that there was limited scope to seek to renegotiate the PFI contract. Better relations between schools and the FM contractor would make a practical difference. There seemed to have been a significant degradation in the services delivered.
- DY emphasised that some communication with schools about potential changes to FM charges was better than none. This would help schools to deal with pressures. This had not occurred in the previous year.
- DY advised that FM costs for his school had increased by £20K in 2022-23. This would be easier to accept if the standard of service provided was better. Instead, the contractor was deciding whether to clean classrooms or toilets. This situation needed to be addressed.

SB made the following additional points during the course of discussion:

- Issues with the performance of the facilities management contractor were acknowledged. WNC was doing all that it could to address these, including taking legal advice.
- A figure in the low £100Ks was a sensible estimate of the amount that may be clawed back from the FM contractor for under-performance. A more specific estimate would need to be given following the meeting if requested. Money clawed back would go to WNC and to schools according to a set mechanism.
- The Schools PFI Forum was due to meet on 14 December 2022 and he would make the FM contractor aware of the frustrations expressed regarding performance.
- It was not possible to give a guarantee about future FM charges, which could be affected by a range of variables such as potential changes in the inflation rate.
- WNC wanted to work with schools on future FM charges. Intelligence from schools' perspectives helped to inform the approach taken.
- The FM charges set for 2022-23 had followed a five-yearly benchmarking process. WNC had secured a favourable outcome but had not been able to give schools advance notice of this. The process for setting charges this year was more straightforward.

PW emphasised that the key message from Schools Forum on this matter was about the importance of communication. Future estimates included cost increases that would be significant, particularly for smaller schools. Decisions taken on this matter had a real-world impact that affected children.

FB urged SB to take the lead on communications relating to the Schools PFI contract to reflect this importance.

RESOLVED: that Schools Forum requested to receive regular updates in future on the situation concerning charges under the Schools PFI contract.

10. **Schools Forum Forward Plan**

JE presented the Forward Plan, highlighting that the Schools Forum meeting on 7 February 2023 would consider the outcomes of consultation on the Early Years Funding Formula 2023-24 as well as proposed dates for Forum meetings in 2023-24.

PW invited members to raise any points on the Forward Plan that they wished Schools Forum to consider.

RESOLVED: that Schools Forum noted the Forward Plan.

11. **Urgent Business**

There was none.

PW thanked those present for their attendance and wished everyone a good Christmas.

The meeting closed at 4.20 pm

Chair: _____

Date: _____