

**DARLINGTON SCHOOLS FORUM
TUESDAY 10TH OCTOBER**

MINUTES OF MEETING TUESDAY 16TH MAY 2023

MEMBERS PRESENT: D Judson (Swift Academies Trust (Chair); P Ayto (Reid Street Primary (Vice Chair); M Butler (Education Village Academy Trust); J Blackham (Mount Pleasant Primary); S Hudson (Rise Carr College); P King (Federation of Mowden Schools); S Welsh (Whinfield Primary); J Skirving (St George's CofE Academy); C Theakston (Federation of Darlington Nurseries); J Mogridge (Polam Hall School); E Baker (Little Acorns Nursery, Hurworth); D Lythgoe (St Aidan's Academy)

OFFICERS IN ATTENDANCE: J Aconley-Foster (Finance Officer); E Clennell (Finance Manager); E Marshall (Education Partnerships Officer); J Littler (Interim Head of SEND Service for SEND & Inclusion); T Murphy (Assistant Director of Education & Inclusion)

APOLOGIES: H Dummett (Federation of Darlington Nurseries); D Evers (Darlington College Childcare Centre); M Shorten (Carmel College); M Fryer (Hummersknott Academy); M Ramsay (St John's CofE Academy); K Reid (Polam Hall School); P Richardson (Head of Skills and Employability, DBC)

1. Welcome, Introduction & Register/Declaration of business interests

The Chair welcomed everyone to the meeting and updated the meeting on apologies and substitutes attending. There were no declarations of business interests.

2. Minutes of Meeting 8th March 2023 and Matters Arising

Subject to the below items the minutes were agreed as an accurate record of the previous meeting.

- Membership record: Members present included Mike Butler. This will be updated on the minutes and published on the website.
- Item 4, High Needs update: Mike Butler requested clarification of the minute reading, *'It was noted that a request to increase pupil numbers at Beaumont Hill Academy is currently pending a decision by the DfE'*. The Finance Manager confirmed this has now been reflected in the 2023/24 allocation..

High Needs Sub-Group: An update was requested on the formation of a high needs sub-group. The Assistant Director of Education and Inclusion confirmed the Local Authority had undertaken a check of the constitution surrounding membership and this would be updated in item 5, Schools Forum Constitution.

School Uniform Exchange Scheme: The Assistant Director confirmed that given new items cannot be added to the central school block it is still to be identified how this scheme can be supported in terms of future support. An update will be provided to Schools Forum when this has been resolved.

3. Budget Update 2022/23

The Finance Manager outlined the budget position for year end 2022/23 as per the previously circulated report.

It was noted that the year-end accounts are in a better position than anticipated when reported to the 11-19 Partnership and the Primary Forum meetings. The information available at that time did not include the full closure of accounts. The Finance Manager outlined key items for note as below.

The high needs block moved positively however the movement in early years block funding is subject to clawback in June/July which will impact the next financial year.

The end of year central schools block is underspent in year by £104,885. The Finance Manager highlighted that there is a 20% reduction to the central schools block each year, any in year underspends are moved to reserve to smooth this reduction

The high needs budget has a year-end underspend position of £109,382, reducing the net deficit on the block to £6,423,149.

The Schools Forum acknowledged the work that had been undertaken by the Interim Head of service for SEND & Inclusion around the safety valve programme. It was noted by the Finance Manager that although this is a very positive position the block needed to be closely monitored as there are on-going anticipated pressures due to growth. The safety valve funding will be shown separately to the budget positions going forward in reports.

The interim Head of service for SEND & Inclusion commented on Post-16 placements and explained that much of the difference in underspend has been due to working with social care to jointly fund placements. This was acknowledged positively by Schools Forum.

The Finance Manager highlighted that a focus would be on VPP spending, which is at a position of £55,000 increase from the assumed position in March 2023. The Assistant Director explained that due to a rise in primary age exclusions this has increased the demand for day 6 provision.

ACTION: It was agreed that for future VPP spend, this budget line would be differentiated between packaged support and statutory duty.

Mike Butler asked if the spend on resource base places that are vacant are still funded by the ESFA. The Interim Head of service for SEND & Inclusion and the Finance Manager confirmed this position. The position is acknowledged as a focus for review under the Written Statement of Action and the safety valve programme. Understandably it has not been possible for the Local Authority to move as quickly as desired on this due to legal requirements, which include significant change requests to the DFE and agreement from the schools hosting the places themselves, however, through consultation, options are being discussed in the interim prior to re-commissioning from September 2024.

The Finance Manager explained that the spend against budget for specialist equipment for 2023/24 was lower than expected by £30,000.

In respect to mainstream school top ups, the year-end position was an overspend of £186,000 . his is mainly due to placing more children and young people into mainstream provision.

The PFI pressure is a pressure on the affordability gap due to inflation. This will be kept closely under review.

The early years block is underspent in-year by £305,379, however it was noted that the DfE will likely clawback funding as in previous years due to lower numbers. SEN Inclusion ended the year with an overspend of £74,223, therefore the true amount subject to clawback is £379,602.

Overall, the Finance Manager explained that the final deficit reserve for 2022/23 is £5,176,000. She shared the management report for 2023/24 which highlights that the £5.1m deficit would be off-set by the safety valve income of £2.4m.

Mike Butler raised a question relating to the growth fund declaring an interest. He explained that despite an overall falling in need for places across the town, there would still be pressure for Haughton Academy due to a predicted 'bulge' in coming years so therefore asked how the underspend could be utilised appropriately.

AGREED: The Assistant Director agreed to lead a discussion with relevant Heads and would bring back a position to Schools Forum.

The Schools Forum congratulated the Local Authority on the position particularly in the underspend of the high needs block and also acknowledged the focused work which is continuing on reducing out of area placements. The Finance Manager was thanked for the clarity of the report.

Recommendations

Forum noted the year end budget position.

Forum approved the carry forward budgets from 2022/23 to 2023/24 as detailed

4. Safety Valve Programme

The Assistant Director of Education and Inclusion gave thanks to the team involved working together to enter into a balanced position and to all involved through Schools Forum supporting management of the high needs block this year.

The Assistant Director outlined the safety valve contractual agreements and process. This 5 year agreement commenced in the first financial year (Year 1), whilst payment was made in the 'last' financial year. It was noted that penalties would be applied if the actions are not met but this would not financially affect the high needs block position. Payment could be withdrawn if there are sufficient concerns. Safety valve payments are in addition to high needs allocation. The DfE have set the debt management proposals in the context of the work to reduce the high needs deficit, the current budget position and the Written Statement of Action targets and progress.

As part of quarterly monitoring there are financial as well as narrative reports provided which will address the risks of any impact on meeting these targets, for example, tribunal outcomes, increased demand, progress to the Written Statement of Action, placements and inflationary risks to the placements in the independent sector.

Mike Butler asked what role the Schools Forum had in reviewing risks, and it was confirmed that the lead risk 'owner' is the Local Authority and this programme is included in the Corporate risk register. As such, reports would be provided to the Schools Forum. The Assistant Director explained that the extensive discussions with the DFE has ensured that the department have a good understanding of practice in Darlington and they have confidence in the projections and track record to date

The Schools Forum thanked the Local Authority on the update.

5. Schools Forum Constitution

The Assistant Director explained that a review of Schools Forum constitution was undertaken by the Education Partnerships Officer and thanked her for this work. The review has considered the schools forum guidance [Schools forum operational and good practice guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/schools-forum-operational-and-good-practice-guide), and best practice from several local authorities of similar size.

It was noted that the constitution overall is reflective of the local area needs and this will be reflected in revised documentation also setting out procedures for membership, voting and sub-groups which were raised as areas to be researched. The Education Partnerships Officer clarified points below following questions raised:

- Members terms of office should not be of a length that would hinder the requirement for the structure to mirror provision. Other LA's do not place a limit to the number of consecutive terms of office individuals can serve as School Forum members.
- New members and substitutes should be elected by their constituent bodies. Where there are terms of office expiring, the clerk will offer support to the constituent bodies for this process.
- Guidance and support for new Schools Forum members will be made available.
- Schools Forum sub-groups can be wider than the constituent Schools Forum members, this reflects the specialist needs of that group. Groups should also ensure balanced representation of all members as well as wider representatives and observers.

Recommendation

Research into a terms of reference for the suggested sub group would be taken forward and expressions of interest will be sought for members, and a Chair. It is suggested the Chair position is taken from the Schools Forum.

6. Early Years Funding Consultation

As a result of the tied voting at the previous meeting, the Assistant Director of Education and Inclusion confirmed that the Local Authority had reviewed the two options and decided to proceed on the

previously considered Option A, that is, not to introduce a quality supplement (see below). Early Years colleagues have been notified of the decision.

Option A

No quality supplement linked to workforce qualifications would be introduced. Instead, the base rate would be increased by an additional 9p per hour for 3- & 4-year-old universal and extended hours for all providers. Therefore, the full increase to the hourly rate would be passported to all providers increasing the hourly rate to £4.70. This option would be equitable across all providers but is not in line with the DfE guidance to implement a quality supplement.

The Schools Forum noted the decision.

7. 2023/24 Academic Year meeting dates

The location of the meetings have been confirmed.

Tuesday, 10th October 2023 – 2pm on TEAMS

Tuesday, 16th January 2024 – 2pm at the Town Hall, Darlington

Tuesday, 12th March 2024 – 2pm on TEAMS

Tuesday, 14th May 2024 – 2pm at the Town Hall, Darlington

The Schools Forum noted the dates and venues.

9. Any Other Business

Local Elections

Following the recent local elections, the Assistant Director Education and Inclusion confirmed that the new member who will hold the portfolio for Children and Young People, will be invited to attend the Schools Forum as a non-voting member.

Date/Time/Location of next meeting:

Tuesday, 10th October 2023 – 2pm on TEAMS