

**DARLINGTON SCHOOLS FORUM
16 JANUARY 2024**

ITEM NO 2

MINUTES OF MEETING TUESDAY 10TH OCTOBER 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); H Dummett (Federation of Darlington Nurseries); D Evers (Darlington College Childcare Centre); K Reid (Polam Hall School); M Ramsay (St John's CofE Academy); E Baker (Little Acorns Nursery, Hurworth); D Lythgoe (St Aidan's Academy); M Kane (Carmel College).

OFFICERS IN ATTENDANCE: Cllr. N Wallis; T Murphy (Assistant Director of Education & Inclusion) P Richardson (Head of Skills and Employability, DBC); J Littler (Interim Head of SEND Service for SEND & Inclusion); E Clennell (Finance Manager); J Aconley-Foster (Finance Officer); E Marshall (Education Partnerships Officer)

APOLOGIES: M Fryer (Hummersknott Academy); P Norman (St. Bede's RC Primary); T Abbott (Bishop Hogarth Catholic Education Trust); E Long (Play Hut)

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

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

There were two items raised under Any Other Business:

- Low Incidence Needs Service funding request (T Murphy)
- Update on Resource Base and SEN Unit places (J Littler)

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

The minutes were accepted as an accurate record.

Item 3 : Budget Update 2022/23 - Growth Fund. At the previous meeting the Assistant Director agreed to lead a discussion with relevant Heads. This action is outstanding and therefore the Assistant Director agreed to bring back a position to Schools Forum. Mike Butler confirmed his interest for EVAT to be represented in this discussion.

Item 5: Schools Forum Constitution – High Needs Sub Group. A terms of reference has been drafted and expressions of interest have been received from schools interested in becoming part of this sub group. The Assistant Director confirmed further detail would be provided in the item on Safety Valve.

3. Budget Update 2023/24

The Finance Manager updated Forum regarding the 2023/24 budget position as per the previously circulated report.

It was noted that the Dedicated Schools Grant budget (DSG) allocation of £109,699,424 and a budget was agreed at the January 2023 meeting. Block transfers were agreed to move £169,323 from the Schools Block and £65,000 from the Central Block to the High Needs Block, as part of the Safety Valve plan. Several adjustments have been made to the DSG allocation and therefore the budget has altered since the January meeting. Specific mention was made to:

- High needs budget has an in year underspend of c£109,000 therefore the overall deficit was £6.4m prior to the Safety Valve programme.
- The central block had an in-year underspend of £214,182 with a brought forward reserve of £521,821.
- The PFI reserve of £44,000 is likely to be used to fund pressure due to the affordability gap.
- There was an in-year underspend of £145,060 increasing the reserve to £296,026, to be held for future years for the school budget share.
- Following import/export adjustment and additional funding for special SEND placements, and early years recoupment, the DSG deficit is 2.4m. (The total overall deficit to DSG allocation is £5.1m.)

The Finance Manager outlined the key changes in schools block, central block, high needs block and early years block funding in the current year budget. Specific mention was made to:

- The schools block will be adjusted when Whinfield Primary School moves to EVAT following academisation.
- All areas in the schools block are expected to budget however admissions and ECT budget are expected to change.
- Due to an additional class opened in Beaumont Hill, the special school top up budget has increased.
- There has been a small increase to the high needs budget for teachers pay.
- Independent out of area placements are showing an underspend, but this is subject to change.
- As a result of Post-16 pupil placements ceasing education, contribution to the budget has changed.
- All areas of top-ups are subject to change.
- There is a significant pressure on the SEND inclusion Early Years budget.

The Finance Manager outlined the areas of spend as percentages of the overall budget, and it was noted that apart from mainstream spend (26%), the special and independent placements were 50% overall of the total. It was noted that the safety valve plan is to reduce these placements.

In response to questions, the Finance Manager confirmed that the £5m deficit is a legacy deficit. The current position is related to the start of the Academic year, although the budget is in financial years, and due to start of placements, it is likely to change. This was acknowledged by Schools Forum.

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

The Interim Head of SEND explained that there have been some requests for change to placements in the first part of the academic year, these are reflected in the financial report, but of course subject to change as placements continue to change throughout the rest of the term and into Spring term 2024. She also outlined that the Local Authority have made a positive difference to the number of tribunals won/lost due to setting reasonable expectations, and in good preparation for tribunals. The increase in capacity at Beaumont Hill has reduced the pressure on out of area placements and reflects the activity plan in the written statement of action. There is a significant pressure arising due to the number of Darlington pupils seeking specialist placements for September 2024, which is going to exceed the number of places available for Darlington Children at Beaumont Hill.

Mike Butler wished to put on the record that it is important that despite these improvements and plans to look after budget positions, it must not be at the cost of ensuring a pupil receives the right provision. Despite securing and maintaining local placements, sometimes out of area placements are necessary. The Assistant Director agreed and that despite there being the opportunity of review under a new government system of bands, it would be important to review the ranges currently in place. Mike Butler requested to have a breakdown of placements on each line of the budget so that performance and value for money can be scrutinised. This should also be available against previous years position. It was acknowledged that the High Needs Sub Group would review much of this including further granular detail which is routinely collected for trends and comparisons year to year.

ACTION: It was agreed to provide funding and placement numbers in future reporting.

At this point the matter arising from 16th May 2023 was highlighted. The Assistant Director confirmed that 12 schools had expressed interest in joining a Schools Forum High Needs Sub Group. It is proposed that the group meet between Schools Forum meetings. The LA would proceed to identify members from the nominated schools ensuring proportionality of the Schools Forum.

ACTION: It was agreed for the LA to Chair the High Needs Sub Group and meetings to be arranged.

A member raised that the DFE had published the schools NFF for 2024-25 in July, however, had uncovered an error made by officials during the initial calculations of the NFF. The Finance Manager clarified that there was an error processing forecast pupil numbers. This has not had an effect on current budget allocations, but the Finance Manager confirmed that further modelling was needed before the next Schools Forum meeting.

A letter was issued from DFE to clarify the position – see below:

https://assets.publishing.service.gov.uk/media/651fd71f7309a10014b0a9b3/Perm_Sec_letter_to_ESC_Chair_-_6_Oct.pdf

ACTION: The modelling would reflect the DFE communication and be presented at the next Schools Forum meeting.

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

Schools Forum noted

- the current budget position.
- the current high needs block position and the fluidity of this area.

- the ongoing pressures within the SEN Inclusion service.
- the split of funding across the Education Sector within the high needs block.

4. Safety Valve Programme

The Assistant Director confirmed that the first safety valve contractual payment had been made. Feedback has been given to the DFE on the timing of reports in providing an accurate reflection of the current position (June/September/December). From the last report the feedback from DFE is positive. Going forward placement movements will be challenged and barriers and risks included the continued delay to the opening of the Tees Valley Free School. Darlington was guaranteed 20 places at special school rates, and the shift to an opening of December 2025 will impact the safety valve plan. It was confirmed that there have been construction issues.

It was noted that if the current position is sustained this will support the DFE to drive down the historic deficit.

The Schools Forum thanked the Local Authority on the update.

5. Schools Forum Terms of Reference and Membership

The Assistant Director explained that a review of Schools Forum constitution was undertaken by the Education Partnerships Officer and therefore asked E Marshall to lead the discussion.

The Officer asked the Schools Forum to note the key changes and agree the new terms of reference. This reflects setting out procedures for membership, voting and sub- groups which were raised as areas for clarification.

The Officer clarified points below following questions raised:

- Observers can be wider than those listed. This list is not exhaustive and examples will be provided such as requests to attend from Teachers' Unions; ESFA and DFE.
- There is no requirement statutorily for the Chair not to have a casting vote. Members agreed it may not be necessarily the case for the ESFA to adjudicate in affairs that could be not be decided on a vote, and previously the Chair has had the casting vote. It was agreed that the terms of reference would be changed to ensure the Chair can have a casting vote.
- The Officer clarified that members can be represented by Headteachers or a member of a school's senior leadership team and that substitutes do not necessarily need to be from the same school. This will be clarified in the terms of reference.

ACTION: The terms of reference will be updated to reflect the comments and clarifications requested.

Membership of the Schools Forum

The Officer outlined the process undertaken for members' constituent bodies to review the terms of office and membership on their behalf. It had been agreed by these bodies that the members remain the same apart from below changes and that there are some outstanding vacancies to be filled. It was also noted that the maintained representative will change to Red Hall School Head Teacher as the current member school is moving to Academy status. When this happens, the Primary Forum will review the current Primary School vacancy. The below changes were noted:

- Primary Academy substitute vacancy – Richard Gartland will substitute in the absence of Marco Ramsay
- Primary Academy substitute vacancy – to be agreed by Primary Forum
- Secondary Academy – Mel Kane new representation from Carmel College, Mike Shorten will substitute in her absence
- Academy Special – it was noted that this member should be listed as 'special' not 'secondary'
- Non Schools 16-19 substitute – Substitute to be identified

Thanks were also given to Jack Aconley-Foster who has provided support to the Schools Forum. The Clerk has now passed to the Education Partnerships Team.

ACTION:

1. The Primary Forum to confirm Primary School Academy and substitute representatives
2. Representative for 16-19 - P Richardson to confirm substitute.

Recommendations:

The Schools Forum agreed:

- The Terms of Reference subject to changes requested.
- That the current Chair and Vice Chair to continue in positions.
- The membership as presented and as updated at the meeting.

6. Any Other Business

6.1 Low Incidence Needs Funding Request

The Assistant Director outlined that a request for an increase to funding the low incidence needs service was made by Lingfield Education Trust on behalf of Hurworth Primary school that run this service. The caseloads have been increasing, and along with rising costs both in staffing and resourcing, the financial position is unsustainable. Further input was expected from a Trust representative however in their absence, it was agreed to pass on some further exploratory work to the High Needs Funding Sub Group to understand the demand and request more fully.

ACTION: The Schools Forum recommended that the paper be presented to the High Needs Funding Sub Group for discussion and an agreed position be provided for the Schools Forum agreement.

6.2 Resource Base and SEND Unit Placements

The Interim Head of SEND outlined the resource base and unit capacity in Darlington, as attached:

[Resource base and unit capacity in Darlington](#)

It was agreed that it was necessary for a formal consultation and significant change request to be submitted in relation to the Northwood and Heathfield Resource Bases.

A discussion ensued on transitions of pupils from the bases/units to secondary and also the growth of the numbers of pupils having higher needs from early years settings. This should all be fed into the High Needs Funding Sub Group.

A discussion ensued on special place numbers that have been requested to increase to 330. M Butler requested that the Year 6 Marchbank numbers also need to be considered.

H Dummett raised that the potential of maintained nursery schools to support transition of children to primary as part of a graduated response. It was confirmed that for early years pupils these are often already known to the Education Psychology Service and SEND Inclusion team so already at a point of requiring and EHCP.

It was agreed that the High Needs Funding Sub Group must be representative of all setting phases.

6.3 Introduction by Councillor N Wallis

Cllr Nick Wallis (Haughton and Springfield Labour and Cabinet Member for Children and Young People) introduced himself to the Schools Forum and explained he was looking forward to meeting with as many members as possible in the near future.

7. Time/Location of next meeting:

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