

## Warrington Schools Forum

Minutes – 11 October 2022 (Held via Teams)

### Membership

Membership with differentiated voting rights ~ Total Membership of 28, of whom 22 are entitled to vote on funding formula issues										
Sector Representation (22)	Appointed by the Council following election by:	Member	Dates and Attendance							
			19 January 2021	23 March 2021 CANCELLED	22 June 2021	12 October 2021	11 January 2022	22 March 2022	21 June 2022	11 October 2022
Maintained Nursery School Senior Staff (1)	Primary Headteachers Group	Marcia Atherton	P	C	P	P	P	P	P	A
Special School Staff (1)	Special School Headteachers Group	Lucinda Duffy	P	C	P	P	P	P	P	P
Special School Governor (1)	Governors Forum	Hazel Coen (from October 2022)	P	C	P	P	P	A	-	P
PRU (1)	PRU Management Board	Lindsay Regan	A	C	P	P	A	A	X	A
Academy – all phases (9)  Agreed this should be: (5 secondary including UTC) (4 primary)	Academy Schools (secondary)	Gwyn Williams	P	C	P	A	P	P	A	P
		Vacant (from October 2022)	P	C	A	A	P	P	A	-
		John Carlin	P	C	A	A	P	P	A	A
		Christian Wilcocks (from October 2022)	P	C	S	A	A	A	-	P
	Academy Schools (primary)	Gary Cunningham <b>CHAIR - Schools Forum</b>	P	C	P	P	P	P	P	P
		Paula Warding	P	C	P	P	P	P	P	A
		Cath Cooke	P	C	P	P	P	P	P	P
		Craig Burgess	P	C	A	P	P	P	P	P
	UTC	Chris Hatherall (from 22 June 2021)	X	C	P	P	P	P	A	A
Maintained Primary School Sector (6)	WAPH and Governors Forum	Siobhan Bentley (from 11 January 2022)	P	C	P	-	P	P	X	P
		Kathryn Berry (from 12 Oct 2021)	A	C	A	P	P	P	P	A
		Zoe Jones (from 11 January 2022)	P	C	P	-	P	P	A	A
		Ian Moss	P	C	A	P	P	P	A	A
		Janet Lazarus Governor	P	C	P	P	P	P	P	P
		Donna Kendal Governor	P	C	A	A	P	P	P	A
Maintained Secondary School Sector (2)	WASCL	Chris Hunt	A	C	P	P	P	A	P	P
		Ed McGlinchey	X	C	A	A	A	P	X	P
Private Voluntary and Independent Providers (1)	PVI Providers Forum	Kelda Willians	X	C	X	P	P	P	P	

Representing	Member	Dates and Attendance							
		19 January 2021	23 March 2021 CANCELLED	22 June 2021	12 October 2021	11 January 2022	22 March 2022	21 June 2022	11 October 2022
<b><u>Non-Schools Members (6)</u></b>									
Anglican Diocese (1)	Jane Griffiths	P	C	P	A	A	A	X	A
Roman Catholic Diocese (1)	Chris Williams	A	C	X	A	A	A	A	A
16-19 Institutions (1)	Damian McGuire	P	C	P	P	P	P	A	P
Parent Governor (1)	Vacant	-	-	-	-	-	-	-	-
NEU (Trades Union)	Lucie Humphreys	P	C	P	P	P	P	P	P
NASUWT (Trades Union)	Laura Watson	P	C	P	P	P	A	P	P

Representing		19 January 2021	23 March 2021 CANCELLED	22 June 2021	12 October 2021	11 January 2022	22 March 2022	21 June 2022	11 October 2022
		<b><u>Warrington Borough Council</u></b>							
Director, Early Help, Education and SEND	Paula Worthington	P	C	P	A	P	A	P	P
Head of Service – Quality Education and Learning	Louise Atkin	P	C	P	P	P	P	P	A
Finance Manager	James Campbell	P	C	P	P	P	A	A	S
Senior Accountant (Schools)	Garry Bradbury	P	C	P	A	P	P	P	P
Executive Member for Children and Young People's Services	Cllr Sarah Hall (from 22 June 2021)	A	C	A	P	A	A	A	A

**Key:**

**P** ~ Present                      **A** ~ Apologies                      **X** ~ Absent with no apologies                      **C** ~ Meeting cancelled  
**S** ~ Substitute                      - ~ Vacancy                      **O** ~ Observer

**Presenting Item:**

Stephen McNulty                      presenting Item 3  
Simon Lennox                      presenting Item 4

**Substitute:**

Claire Harris                      attended on behalf of James Campbell

**Minutes:**

Gill Sykes

## 1. Apologies and Welcome

The chairperson Gary Cunningham welcomed everyone to the meeting and noted that apologies would be recorded in the minutes.

## 2. Minutes and Matters Arising (from 21 June 2022)

The minutes were accepted as a true record and no one raised any discrepancies. The following was noted:

- Page 5: The chair asked for an update on the proposed 56 place ASD free school. Paula Worthington shared that the DfE have informed of a further delay, possibly to 2024. We are exploring the possibility of situating a modular building on the site of the trust delivering the free school and/or one of our schools in the borough in order to start to offer those places. We had started to talk to parents about the opportunity for their children to remain in borough but we have not been able to deliver on that. There are financial consequences of the DfE delay as we have had to place children out of borough and we have written to the DfE with the running costs to date because of their delay. This is something we will continue to challenge with the DfE.
- Page 6: The chair asked for an update on the recruitment of an EY practitioner to support a consistent approach to the EY strategy to SEND. Paula noted that recruitment is underway and looking positive.
- Page 7: A potential venue for the meeting on 17 January 2023 was discussed. Subsequent to the meeting the venue was confirmed as: University of Chester, Time Square WTS109 Lecture Room B, Time Square, Warrington WA1 2NT.

## 3. SLA/recharges update

Stephen McNulty presented his report to the forum to provide an update on SLA buyback with a comparison to last year. The following was noted:

- The report does not include school meals as this service is paid for directly by parents or through the government policy on providing free school meals to eligible children. There is going to be a full service review on school meals as the current format is not achieving full cost recovery. All schools and academies will be consulted.
- The report does not include building services which is a separate contract with an external supplier, Equans and part of the wider council agreement.
- The vast majority of services have 3 year SLAs with the last 3 year period started in 2020. Noted that ICT services tend to be 1 year contracts. Some services are more bespoke and can be bought as and when required to allow more flexibility. Schools buying into the Warrington Training Hub receive a 40% discount on the training.
- We have 53 council services traded with schools and all SLA price rises are limited to the Consumer Price Index, anything higher would trigger wider consultation with schools.

Stephen shared that there is an online Teams SLA event tomorrow (12 Oct) at 10.00 am – 12.00 noon. There has been a really good response from schools with 68 school staff booked on. This is a good opportunity to update what services are on offer and discuss any changes for the future. Feedback from schools is welcomed to help shape our services going forward and to make improvements for the upcoming year, including if there is anything schools want WBC to offer or to adjust a current SLA, it gives time to make the changes ready for next year. The invite has been emailed by Jill Harrison to all headteacher and business managers and can be reissued if required.

There have been a number of updates to the My School Services system, including the Governors' module and more to come over the next 12 months. There are 90 other local authorities using the same portal and all feeding back development requests so the system is constantly being developed.

Questions/comments were invited by the Chair.

- Noted that there is good uptake on SLAs which indicates a good service is being provided. Schools have to spend wisely and need value for money.

- SLAs are an important part of the Warrington education system and feedback from the event tomorrow would be welcomed, possibly at WAPH or WASCL. Stephen noted he is booked on WAPH in November.
- Stephen shared that the feedback last time was that schools would like more notice when it comes to a new 3 year contract. Previously given 3 months notice but now giving everyone 4 months notice.

Recommendations:

- Note the progress being made to provide sustainable services that offer schools value for money and consistent levels of service. **NOTED**
- Recognise that the council is an important provider, commissioner and participant in the Warrington education system. **NOTED**
- Encourage colleagues to feedback their views on both SLA's and council services in order to help shape the future of traded services. This can be either via the upcoming SLA meeting or by contacting Stephen McNulty: [smcnulty@warrington.gov.uk](mailto:smcnulty@warrington.gov.uk) / 01925 442682. **NOTED**

#### 4. Funding of new LA school attendance duties

Simon Lennox presented his report to the forum and the following was noted.

- The government brought out new guidance of working together to improve school attendance (published May 2022 for implementation from September 2022). This indicated a clear change from what most local authorities were offering. A traded service to schools and also a universal service that we must provide.
- The guidance replaces existing guidance from September 2022 and although it is non-statutory in the academic year 2022-23, DfE expectations are that it will be implemented and followed. It will be made statutory for the academic year 2023-24.
- The following proposal has been prepared (see below).

2021/22 Fully traded service		2022/23 Transition year		2023/24 Proposed new arrangements	
Supporting • 34 primary/special schools • 10 secondary schools		Supporting • 75 primary/special schools • 13 secondary schools		Supporting • 75 primary/special schools • 13 secondary schools	
Income • Total £157,227 • LA budgets £ 56,729 • SLA £100,497		Income • Total £202,065 • LA budgets £101,568 • SLA £100,497		Income • Total £259,298 • LA budgets £100,596 • Contributions £ 71,592 • SLA £ 87,109	
Staffing & Outgoings • 1 x Attendance Manager • 3.6 x Attendance Officers  • £149,066		Staffing & Outgoings • 1 x Attendance Manager • 5 x Attendance Officers  • £211,116		Staffing & Outgoings • 1 x Attendance Manager • 5 x Attendance Officers • 1 x Support Officer • £259,298	
Costs • Non-SLA £0 • Pri/Spec SLA £2,397 • Sec SLA £3,802		Costs • Non-SLA £0 • Pri/Spec SLA £2,495 • Sec SLA £3,958		Costs • Pri/Spec Contrib £ 748 • Pri/Spec SLA £1,746 • Sec Contrib £1,187 • Sec SLA £2,771	

- A transitional year will be required for local authorities. The budget to cover this work is made up of the SLA budget and the additional costs will be covered via a contribution from the Virtual School budget. This is only sustainable for this one academic year.
- The universal offer must be provided to all schools and it is proposed to move to a contribution model for all schools. Noted that the local authority are making a significant contribution to this. It is hoped that schools will also continue to buy the SLA as this provides more of an extended service.

Questions/comments were invited by the Chair.

- The Chair asked if the contribution of £748 for the primaries is something that is taken off centrally and would academies pay back into de-delegated funds? Garry B noted it would be a voluntary contribution not de-delegation.
- Garry B asked whether we could consider a variable rate based on size rather than a flat rate. Simon noted that the guidance is very clear and the vast majority of work on attendance must be delivered by schools. We would have a termly conversation with schools to present attendance data and whether a school has a three form or one form entry that conversation lasts for a morning. These are the timings we have scheduled and made staff costing requirements on.
- Concern was raised about what would happen to the service if schools are not contributing. Simon shared that if schools didn't contribute we would have to look at an alternative. The government guidance used language of retaining DSG from schools. In putting this contribution proposal forward it fits in with the way we do things in Warrington. If the contribution model is not accepted we might have to return to forum with a different paper proposing to retain DSG.
- The enhanced SLA package is where lots of support is available. Debbie Parlane has developed this over a number of years. It is flexible, lists things the team can offer, can focus on one area if requested and if a school asks for something not on the list then we could do that instead. The service keeps delivering within the price.
- Chris Hunt noted that attendance can be a challenge and acknowledged the support Debbie and her team give to schools, families and children in Warrington to get them back into school as quickly as possible. It is a good investment for schools.
- Simon shared that the three largest MATs, WPAT, Omega and TCAT buy in the SLA on a block basis. We hope they continue year on year and will also make the contributions being proposed in the report. Christian Wilcocks confirmed that Omega MAT will certainly commit to the Attendance voluntary contributions and the enhanced SLA. It is a great report and image to illustrate the proposal.
- Hazel Coen asked how the attendance team are working with special schools if there are still fears with Covid. Simon confirmed that the attendance team are working with the special schools and Covid anxiety does not appear to be a particular concern to children and families. Debbie's service do superbly well and continue to work with families for any way of removing barriers.
- Hazel asked if attendance are working with social care. Simon confirmed that they do link with social care. With the new guidance and the extension of the virtual headteacher role they work closely with social care. The attendance team have a very good relationship with Early Help as well, they are based across the office and speak on a regular basis. We are trying to build a mini team of virtual school, attendance and a family practitioner so schools know the three critical people for their school.

The Chair summarised that there is a desire to commit to the contribution model as detailed in this proposal. As not all schools and trusts attend schools forum we need to check with the other trusts and the maintained sector before a decision is made. Simon was asked to undertake a piece of work to gather responses about whether schools would agree to the proposal and return to schools forum with the feedback. Schools forum would then be in a position to make a response to the proposal.

**Action: Simon Lennox to return to schools forum with an update on responses by schools to the proposal.**

Recommendations:

- (a) Note the proposals outlined in paragraphs 3 and 4. **NOTED**
- (b) Support the proposal in paragraph 4 for the funding of the Attendance Service from September 2023 onwards via a mix of agreed contribution funds, SLA purchases and LA contributions. **TO RETURN TO SCHOOLS FORUM**

## 5. Update on funding position

Garry Bradbury presented his report to the forum and the following key points were mentioned:

- In mid-July the ESFA informed of the NFF values for 2023/24. Warrington policy is to replicate NFF as closely as possible in our own formula calculation and this gives us an idea of what we will be using for calculating all the revenue budgets from next April onwards.

- The funding formula values are increasing although there are no real substantial changes to the make-up of the formula. It looks to be a healthy increase, but this includes what was the supplementary grant last year. This is now in the figures and only 45% of the increase is actual new money so although it shows a 5.5% increase it is actually an increase of 2%.
- The grant introduced last Christmas was to deal with residual issues of pay awards. We now have the cost of living crisis, energy prices spiralling and no additional payments we are aware of to accommodate.
- The indicative DSG Schools Block allocation published in the summer will be adjusted proportionally to the change in Numbers on Roll in the October 2022 census. However, because there are other factors in the funding formula, in the likely event that those other factors behave significantly differently than NOR, this will result either in a surplus or shortfall in implementing NFF.

Garry B asked if the forum wanted to talk about the detail tonight and consider what our response would be. We need to be ready with a policy and proposal to deal with either a surplus of funding or a shortfall and would be grateful of any thoughts from the forum.

Questions/comments were invited by the Chair.

- The Chair noted that Warrington is in f40 and starts from a low base point. Garry B noted that formula values are inflated by area cost adjustment which varies geographically. Our inflator is 0.3%, some cities have 10% and 15% inflated. The area inflators could be justified as there are costs relating to some sites with recruitment and retention and capital.
- Chris Hunt asked if the proposals of national insurance being reversed will have implications for incorporating the supplementary grant into the baseline. Garry B noted that they won't and as announced ahead of time, because the 1.25% increase in national insurance was reversed they think £300m nationally is in the overall schools funding that related to that. The fear is that, not next financial year, but retrospectively the year after they may feel compelled to do something about that. Not reducing funding but retarding funding from next year and the year after. £300m is a tiny proportion of the national school funding but they have identified this as an issue and possibly may do something about it.
- Hazel Coen asked if the funding for special needs has increased as the position seems more favourable now. Lucinda noted that there was considerable work done last year to review funding for special schools as this had not been done for some years. These meetings were attended by the headteachers, a governor representative for each school and the local authority. This is why special school budgets are now more reflective of their situations.
- Noted that in the past we created a working party and then presented to full schools forum. Is that something we need to consider doing? Garry B noted we have a tight deadline, but there is a two week window after Christmas where a small group could meet to discuss in order to agree a proposal to put forward to full schools forum in January. Will need to consider that if we were in the situation of having a surplus, do we put an addition onto one of the formula factors to use it up. There are two issues, those schools currently protected by minimum funding guarantee wouldn't get anything out of the addition, their direct allocation would go up and the amount of protection would reduce. The best way to ensure everybody benefits from any surplus funding would be inflate MFG so even those schools with protection would be protected to a higher level as well, or put a lump sum outside the MFG calculation.
- Damian noted that we don't yet know the high needs situation but transferring funding to high needs could also be another option to consider depending on how much of a surplus there may be. This is something we have done previously. Garry B noted that we do uplifts anyway and did allocate some of the supplementary grant to special schools. When reporting on outturn we have more or less eliminated the high needs deficit, but with the free school being delayed economies are affected from trying to bring children back from out of borough provisions.
- Gwyn Williams agreed that convening a pre-meeting working group is really important as discussions around funding can be controversial and complicated. Paula W asked for volunteers in order to arrange a provisional meeting in diaries for the New Year. The Chair noted that we would need a minimum 4 people (ideally 4-6 people) to discuss item (ii) below and agree a proposal to bring back to full schools forum. Hazel Coen volunteered to attend.

**Action: Garry B to send an invite for a working group to meet on 12 January 2023 at 4.00 pm (via Teams) prior to the next full schools forum on 17 January 2023.**

Recommendations:

- (i) That Schools Forum members note the contents of this report. **NOTED**
- (ii) Schools Forum should consider giving a steer to the Authority on how:
  - (a) To reduce the “cost” of the funding formula if the actual settlement makes a full implementation of NFF unaffordable; or **TO BE DISCUSSED AT WORKING GROUP**
  - (b) To utilise remaining funding in the Schools Block settlement, if a surplus remains after implementation of NFF with the new October data. **TO BE DISCUSSED AT WORKING GROUP**

## 6. NFF consultation – our response/implications

Garry Bradbury presented his report to the forum and the following was noted:

- This consultation was largely around the issue of transition towards the NFF being implemented. Most of this we are doing anyway and over the summer break the local authority responded to the consultation. It is important to say something as consultations will only keep happening if people respond to them. It was a response to the issues we needed to have a voice on in terms of transition. There are important principles about when some contingency funding is accessible by maintained schools and academies.

Questions/comments were invited by the Chair.

- There were no comments from forum members, but the Chair referred to the minimum funding guarantee and a need to look at why some schools have these guarantees. Perhaps look at those in a working party. Garry B noted that the existence of these tends to give weight that the NFF isn't quite as effective as it could be and it is still a valid issue to question the balance and basic entitlement.

Recommendations:

- (i) That Schools Forum members note the contents of this report. **NOTED**

## 7. SEND restructure update

Paula Worthington presented this report to the forum on behalf of Louise Atkin and the following was noted:

- There has been a full review of SEND services including funding and resources. We wanted to complement the system and add capacity and make some reductions on external placements.
- Small groups focused on items and a small group looked at the detailed SEND review report, actions and recommendations and agreed which would progress through Schools Forum.
- EHC school referrals have increased and the consequence is a pull on the high needs budget. There has been an increase in parental referrals and a sense of an increase in disquiet around parental confidence in the SEND system and a draw on the tribunal process. There isn't a great deal of difference across the town, but there are more referrals from the central cluster, which is proportionate to the number of disadvantaged children in those areas.
- There are still some challenges around early identification with too many younger children with an EHCP when there are interventions that could be used to support them instead.
- There are over 1,800 EHCPs which is a significant increase for us in Warrington. We have seen significant numbers of children moving into the area and other local authorities wanting to place their children into our schools.

Update on projects:

- ASD free school: the further delay (as informed by the DfE) has had consequences on the budget with children having to be placed out of borough.
- DPs: there has been lots of work enhancing our DPs. The increase in the DP offer is really significant. Had conversations around cognitive and learning DPs and whether this is the right DP to have and think decisions made were right and they are meeting children's needs in the right way.

- SALT contract: It will go out to tender and we will have to get approval from cabinet while some of the work is done.
- Occupational Therapist: there had been a lack of access to OTs support and we have appointed our own OT.
- Relocating FE offer from Woolston Learning Village: work has been ongoing to move the FE offer from the learning village to create some capacity. We are looking at purchasing a site although we originally talked to forum about renting a facility. It proved more sensible to look at the purchasing option. Moving the Post 16 and 19 facility will free up capacity at Fox Wood and Green Lane.
- Notional budget: a decision was made outside of forum to reset the notional budget at £6K (it had been £7.5K) aware of the pressure it was placing on schools.
- DCSSO: appointed a designated social care officer to represent professionals and schools in the EHCP process.
- EP Team: have released money to increase capacity of the EP team, for an EP to have an EY focus and all EPs have a part specialism, ESLA an EBSA are part of that roll out.
- Sensory Team: this is a high cost team and we needed to be reassured we are delivering in the best way. Need to consider whether it could be delivered in a different way.
- Graduated Response: is due to be launched, if anyone has any comments please let us know as we want this document to be owned across all sectors. Key dates are noted on the last page of the report.
- Banding funding: this has been reintroduced. The process of asking for allocations of money was causing too much inconsistency.
- Autism in Schools Project: have approached a number local authorities around sector led improvement to drive up improvement in SEND.
- SEMH and outreach offer: there is still some work to be done.
- DP funding formula review: there is still some work to be done.

Questions/comments were invited by the Chair.

- Kelda raised a query around funding, EHCP and EY and private providers. Paula W noted that this can be picked up outside of this meeting with Louisa Archer Hill and Kellie Williams. Need more detail to understand what Kelda has been told and the circumstances. **Action: Paula will ask LAH to make contact with Kelda.**
- Noted that 83 EHCPs have been ceased. Hazel Coen queried how many are due to a natural move on and are they across particular years. Paula W shared that they are across a range of years and there were a number of Post 16 young people still with an EHCP. As part of the annual review process there were instances where parents and children said they didn't require the EHCP anymore and it was not meeting their needs. Some parents can be concerned when the EHCP stops.

## 8. SEND in year transfer and invoicing of contextual factors from the point of transfer

The Chair (Gary Cunningham) presented this item to the forum due to concerns of schools around children with SEND moving from one school to another and the funding for that child not appearing until April 2024. Gary C asked if there was a way of pass-porting the money to the schools receiving additional SEND children. If a child with an EHCP moves the funding will restart from a certain date, if we do this for EHCP why can't we do it for those children with SEND. Gary C noted that it would have to be voluntary, and having spoken to CEOs of trusts and Paula W and Garry B, there may be something we can do as "settling in" funding. Gary C asked what forum members feel about this. Forum members agreed this is something that should be considered.

## 9. Independent placements at pre and post 16

The Chair (Gary Cunningham) presented this item to the forum to ask what happens if a provider wants to put up fees by 60%, is there any challenge to the independent providers? Because the costs are inflating significantly how do we know we are getting good value for money and how do we quality assure. Where does the challenge come from to ensure we are getting good value for money? Paula W noted that Kellie Williams is the commissioning lead for providers, all private providers are visited by Kellie and Liz Shepphard where they discuss value for money. We have introduced a robust process and record checks and costs of providers. We challenge any requests for uplifts and recently went through a mediation process with a provider wanting to make an 18% uplift. We eventually negotiated with the provider to reduce this to a 5% uplift. We ask for really robust evidence on delivered outcomes and the DSCO will have a role around checking children's outcomes are being met and providers are of the quality we want.



## **10. Membership**

Gary Cunningham welcomed new members to the forum: Christian Wilcocks (CEO of Omega MAT) and Hazel Coen (Special School Governor).

## **11. Proposed meeting schedule for 2023 – the dates below were agreed by forum members**

- 17 January 2023
- 21 March 2023
- 20 June 2023
- 10 October 2023

## **12. AOB – no items were brought forward to discuss**

The Chair thanked everyone for attending and noted that as the next forum meeting is in January this would be the first time he had wished people a Merry Christmas. The meeting was then closed.