



Surrey Schools Forum Minutes of Meeting

Tuesday 2 July 2024 1pm at Guildford Pavilion

Approved by members at their meeting on 8 October 2024

Present

Chair

Jack Mayhew Learning Partners MAT Academy member

Joint Vice-Chairs

Kate Keane Ewell Grove Primary Primary Head

Justin Price Freemantles School Special school head

Other school and academy members:

Donna Harwood-Duffy Dorking Nursery school Maintained nursery sch rep

Clare McConnell Bisley Primary School Maintained primary Head

Nick Elliott NE secondary SSS PRU head*

Ben Bartlett Hinchley Wood Learning
Partnership Academy member

Sir Andrew Carter South Farnham Educ Trust Academy member

Elaine Cooper SWAN academy trust Academy member

Jo Hastings Ottershaw Infant and Junior Academy member

Karyn Hing Westfield School Academy member

David Euridge Inclusive Education Trust AP academy member*

*from item 7

Non-school members

Tamsin Honeybourne Unions: Education Joint Committee

Matthew Rixson Guildford Diocese (Church of England)

Local Authority Officers

Julia Katherine (JK) Director–Education and Lifelong Learning (interim)

Julie Barker (JB) Assistant Director-SEND, Education, Early Years

Carrie Traill (CT) Head of Education

Mike Singleton (MS) Service manager: place planning /commissioning

Kay Goodacre (KG) Strategic Finance Business Partner (CFLL)

David Green (DG) Senior Finance Business Partner (Schools Funding)

1 Welcome, Introductions and Apologies for Absence

Apologies had been received from:

| | | |
|------------------|--|-----------------------------|
| Jo Vigar | Charlwood Primary School | Maintained primary governor |
| Keith Willsher | Buckland Primary School | Maintained primary governor |
| Chris Hamilton | Portesbery School | Maintained special sc govnr |
| Sarah Kober | Lumen Learning Trust | Academy member |
| Kerry Oakley | Carrington School | Academy member |
| Sue Wardlow | Greensand MAT | Academy member |
| John Winter | Weydon MAT | Academy member |
| Sarah Porter | Private, voluntary and independent nurseries | |
| Folasadi Afolabi | Unions: Education Joint Committee | |
| James Kibble | Arundel and Brighton Diocese | |
| Claire Poole | Family Voice Surrey | |

2 Election of Chair and Vice-Chairs

Jack Mayhew had been nominated unopposed to continue as Chair and Justin Price had been nominated unopposed to continue as a Vice-Chair, so both were declared elected unopposed. Jo Hastings had been nominated by three members as a Vice-Chair. It was noted that all three nominations were late, but no objections were raised to the lateness and thus she was also declared elected unopposed.

3 Declarations of interest for this meeting and register

Elaine Cooper declared an interest in item 7a (CEO of Multi academy trust which included potential beneficiaries).

4 Minutes of previous meeting (14 May 2024)

Accuracy

The minutes of the previous meeting were agreed as accurate.

Matters arising (not covered elsewhere on the agenda)

DG noted that there had been an error in the DSG deficit and safety valve table shared at the last meeting. A corrected version would be circulated.

5 Update on DFE funding announcements, if any

DG confirmed that there were none to report.

6 High needs block update, including safety valve, NMI usage and capital programme

JK shared a summary reminder of Surrey's safety valve agreement with DfE, under which Surrey had signed up to nine conditions between 2022-28, alongside challenging cost containment targets, contributions of £8m per year from school

budgets and contributions from the council and the DfE. Each condition had a specific action plan and associated risks.

- Strengthened early intervention and support offer for schools and education settings, with additional council resources of £1.7m per year to increase capacity in the learners' single point of access (L-SPA) and STIPS service.
- Review and strengthen SEN decision-making processes (via an end to end review of those processes)
- Develop strategies to support mainstream schools to support children with social, emotional and mental health needs (e.g. by providing 24 nurture hubs in mainstream schools and nurture training to 100 schools),
- Deliver an expanded Team around the School pilot, now being offered to 57 schools
- Develop an appropriate banded funding model for specialist placements and joint commissioning arrangements
- Develop a joint commissioning strategy with partners
- Deliver an ambitious SEND and AP capital programme to increase the number of state sector specialist places in Surrey The programme value was £260m of which £71m had been spent and 43/83 projects delivered, creating around 2000 additional places in total.
- Develop pathways to independence and vocational pathways
- Strengthening accountability.

The SEND and AP capital programme had already hugely increased the number of specialist places available in Surrey, allowing more pupils to be educated closer to home. The proportion of pupils placed in NMI schools remains higher than elsewhere, although this is reducing as a result of the capital programme, and 51% of the high needs block was spent on NMI schools. The capital programme is part of the solution, but so is placing the right children in the right provision.

Members expressed concern about the level of appeals and whether they were robustly challenged. JK advised that the proportion of appeals was similar to that seen in other LAs. The LA tried to resolve by mediation but where cases went to a hearing most decisions were in line with parental requests. Some outcomes had been surprising. One member commented that there were few vacancies in Surrey state special schools, and sometimes an NMI placement was the only option,

The proportion of key stage transfers seeking specialist placements was around 60% compared to around 40% nationally. The reason for this needs to be understood. Does it mean a higher level of need or is it related to parental choice, e.g. linked to the high proportion of mainstream children educated privately? For example if class sizes in mainstream state schools were seen by parents as an issue, could that be addressed in mainstream schools?

Delivery of the SEND and AP capital programme up to 2028 was essential to deliver the safety valve outcomes.

Members asked why the increase in demand for specialist placements had not been foreseen. The EHCP recovery plan had meant a large number of assessments had been completed recently (over 1000 children needing assessment in December 2023 had not had an allocated educational psychologist, compared to none now, as a result of the successful EHCP recovery plan) and therefore many children's needs had been identified relatively late in the planning process.

Members asked whether Surrey would receive extra funding if it could demonstrate a higher incidence of pupils with complex needs than elsewhere. Officers noted that other LAs with more EHCPs had fewer in NMI placements, so it would be difficult to make a case for this.

Therapy provision was still seen as an issue, which often led to tribunals upholding requests for NMI placements.

One member commented that many parents in the south east area asked for NMI placements because there was not enough appropriate local state specialist provision, and that there was an uneven distribution of specialist provision across Surrey.

Another commented that sometimes schools had not seen the decisions of the EHCP recovery panel as credible and asked how many of those decisions had been referred back to be reconsidered. JK advised that there were school reps on the panels for transparency and consistency of decision-making. The member suggested that school reps invited to attend panels often struggle to find the time to read all of the paperwork in advance of the meeting.

The number of EHCPs is still increasing, but at a lower rate than seen in other LAs. Surrey was still on track to meet its safety valve targets, but they remained challenging and would continue to be thus. Where other LAs had not met safety valve targets, funding had been suspended, although in a few LAs the agreements had been extended. DfE was providing 55 LAs not on safety valve agreements with additional project support under the Delivering Better Value programme; data coming from those LAs suggested that the EHCP trajectories needed to balance the high needs block were not feasible.

One member asked for data on how many requests for assessment were refused and resubmitted. JK would attempt to provide data next time. **Action: JK**

Another questioned whether "team around the school" was working, suggesting that the people and skills on offer were not those they needed-e.g. they wanted more psychologist time.

Surrey's £260m SEND capital programme for 2019/20-2027/28 compared to the DfE national SEND capital budget for 2021/22 at £300m. DfE funded free school places had been delayed by up to two years, and Surrey projects faced rising costs. The Cabinet had reviewed the capital programme the previous week, and their decisions would be shared with Forum members shortly together with a geographical

breakdown of places. The Chairman noted the critical importance of the capital programme.

The main risks were seen as loss of additional funding if targets were not met, inflation, and staff recruitment and retention, both in schools and for LA based services eg education psychologists.

7 Proposals for 2025/26 schools funding consultation

The Chairman reminded members that they were being asked to consider whether the proposals for consultation were the right ones and whether they would provide the Forum with sufficient information to make recommendations at the October meeting.

a) Notional SEN funding and additional funding for schools where the incidence of SEN is high relative to their additional needs funding

The proposal considered how to find a formulaic way of distributing additional funding to schools with disproportionately high incidence of SEN, such that the budget didn't support the first £6,000 per EHCP. DfE guidance was that where such funding was allocated it should generally be formulaic.

The paper considered in particular:

- * whether and how additional support should recognise the impact on infant schools of the time taken to secure EHCPs at key stage 1,
- * what proportion of notional SEN funding should be deemed to be reserved for pupils on SEN support,
- * what dates should be used for the EHCP data used in the calculation.

The paper did not propose to have regard directly to the number of pupils on SEN support, because that was subjective. The paper showed various models for delivering additional funding. Officers were asking for any suggestions as to which options, or what others, should be put to wider consultation.

Any funding would need to be reallocated from within the high needs block, although it may be possible to use underspends from other blocks in the first year. The LA would not be asking to increase the schools block contribution to HNB above 1%. In time the additional SEN funding should drive savings elsewhere (i.e. if more high needs pupils were retained in mainstream schools).

Members noted that the proposal could create an incentive to schools to seek more EHCPs. Officers recognised this, but saw it as difficult to avoid. If implemented, the proposed funding arrangements should be reviewed after a few years, including reviewing any change in the incidence of EHCPs.

Another member noted that schools which were inclusive often attracted more parents of children with SEND.

The Chair suggested that the proposed questions were appropriate for consultation. He noted that this did not mean a commitment to implement any of the proposals. He recommended that, if implemented, arrangements should be reviewed annually.

b) Falling rolls funding

MS reminded the Forum that falling rolls funding was only allowed to support schools with temporary falls in roll, where an increase in pupils was expected within the next few years. This is not a solution to longer term falls in roll. The Service has completed data modelling based on a five-year period from October 2021/October 2022 (hence to October 2027) which showed 14 planning areas where falls in roll might be temporary, and 22 schools which might benefit (depending on the method used). Annual costs varied between £182k-£810k depending on the method. The Forum was asked to express a view on how additional funding might be provided. Members asked how reliable the forecasts were. Officers noted that estimates from the District and Borough Councils detailing the levels of housing growth could be unreliable, due to the uncertainty over when housing would actually be built on specific sites. This is something the Service is addressing with the District and Borough Councils, however, estimates for the next three years were little affected by future housing growth and were generally more reliable. The DfE required the data to be based on SCAP returns, and to cover only five years from then. Forecasting for the short term was better than for the long term. The forecasting context would be included in the consultation paper.

Members asked what would be the cost to schools of the proposal.

KG advised that from 2024/25 the annual DSG included a sum for falling rolls (£592k for Surrey in 2024/25), although it could be very variable from year to year and was only known in December. The DSG also included a growth fund allocation. (NB neither are ringfenced).

One member asked for the 14 planning areas to be shared, also for information as to whether there was a surplus in neighbouring planning areas. The 14 identified areas were Addlestone and Ottershaw, Ash and Tongham, Caterham, Chertsey, Chobham/West End/Bisley, East Guildford, Farnham, Godstone, Horley, Milford and Witley, North East Tandridge, Sunbury, Tillingbourne Valley, Virginia Water/Lyne and Longcross. **Action MS to look at surpluses in neighbouring planning areas**

MS advised that the proposal didn't cover growth to meet parental demand. The LA have a statutory duty to provide sufficient places, but this duty does not extend to providing places based on parental preference. Other factors need to be taken into consideration such as the fact the LA could not open extra places, where surplus places existed nearby. A school might qualify for falling rolls funding on the basis of forecasts, but the expected future growth might not happen.

. Surrey children needed to be able to obtain a high-quality education at their local school, whichever it was. Not all parents could travel to an alternative school.

One member asked whether multi academy trusts should be treated differently when considering eligibility for falling rolls funding. (NOTE Academies would be treated individually on the same basis as individual maintained schools. It would be unfair to do otherwise).

Members asked for the detailed information, including the equalities impact assessment, to be in annexes.

The Chair agreed that providing additional information would help schools to understand.

Members favoured consulting on an option which was “cost neutral”.

c) Transfer to high needs block, Minimum funding guarantee, ceiling and other routine formula factor issues

DG reminded the Forum that the autumn consultation would need to cover the transfer of funds from schools block to high needs block and the level of minimum funding guarantee and of any ceiling on per pupil gains. Surrey had usually set the minimum funding guarantee at the highest permissible as it was the only increase many schools saw and was still usually relatively low, as members had noted at the last meeting. He also proposed that the lump sum factor should continue to be preserved above NFF. He anticipated that future convergence under a direct NFF would be subject to minimum funding guarantee protection.

Further consideration would be given to how sparsity and split site funding interacted with the minimum funding guarantee. DG noted that if split site funding was within the MFG, it could have adverse impacts on schools with split site funding and falling rolls.

KG noted that previous changes of government in the summer (even without a change of party) had meant delays in the schools funding announcement from July to September.

The Forum had no comments on the proposals.

d) De-delegation

The Chair reminded the Forum that de-delegation was an issue for decision by maintained school representatives on Forum.

The range of services proposed for de-delegation in 2025/26 was the same as in 2024/25.

Kate Keane noted concerns that when making decisions on the maintained primary schools intervention fund (which supported maintained primary schools with leadership issues and Support and Challenge schools), headteachers had not been aware of the views of the schools which had received support. Therefore a questionnaire had been sent to schools which had received such support, seeking their views. The results should be available in time to be taken into account when deciding on de-delegation. The Chair suggested that it would be useful for colleagues to have access to the results when responding to the consultation. He saw provision of more information in the consultation as the right way to go.

Another member asked that the consultation should draw out the link between the specialist teacher services and the development of early support services.

e) Other suggestions

The Forum had no other suggestions for inclusion in the autumn consultation paper.

8 Support staff pay in special schools

Justin Price noted that the April 2024 support staff pay award had meant an increase of 9% for some support staff grades rather than the 6% previously proposed. The headteacher working group had been looking at the impact on the sector of the additional increase, which was particularly significant for special schools because of their high level of support staff, particularly at the affected grades. Officers were looking at whether any assistance could be offered to mitigate the impact of the additional 3%. Special schools had been asked to provide information on the impact, before any decision could be made. Members noted that pupil referral units were also in scope.

Members noted that in previous years the Forum (or representatives thereof) had been consulted on support staff pay issues, but that that had not happened recently. JP recalled that a few years ago a one off sum of £1m had been found towards additional pay costs in special schools.

JP argued that special school funding issues were not shared with the Forum in papers in advance for all members to consider, and that they should be shared. Members noted that school support staff were covered by the main council support staff pay settlement, but suggested that the settlement was designed for council needs rather than school needs, and that schools could find out the impact later than services (or even from contacts in other services). KG would follow up with HR business partners. **Action for KG**

Any additional funding for special schools would be a pressure on the high needs block.

One member argued that support staff costs were a pressure on mainstream too. KG reminded the Forum that mainstream funding was largely driven by the NFF, with no scope to hold back funding to respond specifically to pay settlements. There was more flexibility in funding special schools.

Additional costs of teachers' pay had been met by specific grants in recent years.

Another member commented that the 9% increase would affect mainstream SEN costs, including EHCP support, and would have an impact on notional SEN budgets.

The Chair summarised that there was a need to clarify the role of Schools Forum and the school sectors in developing support staff pay arrangements, and asked for a proposal for a working group. **Action:JK/KG to pursue with HR reps?**

9 Early years funding consultation

Julie Barker reminded the Forum of the significant changes in early years funding in 2024/25. Funding had been extended to provide 15hrs/week for two year olds of working parents, and from September 2024 funding was being further extended to children aged above nine months of working parents. From September 2025, both of

these groups would be entitled to 30 funded hours/week, and at that point a change in overall demand and family behaviour was anticipated, as the hours offered would make it more feasible for parents to work. There is a need to support the sector in meeting the expected additional demand for 2025.

The number of Surrey parents with valid access codes for the two year old working parent entitlement so far had exceeded Surrey and DFE projections. Most of these were just moving from parent funded to state funded entitlements. The early years sector in Surrey were happy that the expected demand could be met. So far, validation of codes for the 9 month offer were below expectations, but there were still two months to go.

In 2024/25, funding from DFE for the newly entitled groups will be provided based on termly counts (thus removing the termly variation risk). No decision has yet been made on the basis for future years. From 2025/26 LAs will have to set their hourly rates for providers within eight weeks of being advised by DfE of their own funding rates. This would give the sector greater confidence to plan, but it would mean the LA setting provider rates before it had the necessary census data to estimate its own income.

There was no trend data to indicate how takeup of the new entitlements would develop, so in 2025/26 it was proposed to retain the same key principles of funding:

- Run a consultation separately from the schools consultation, running for four weeks and then reporting to Schools Forum
- Propose to retain 5% of funding from each sector to support central services
- Maintain early intervention fund at 1% of funding for children aged 9 months-2 years, 3% for two year olds and 5% for three and four year olds. The lower levels of EIF for younger children reflected the higher basic staffing ratios for those children.

Early years pupil premium and disabled access fund rates would continue to be set by DfE. No changes were proposed to Surrey deprivation supplements (£2.81/hr for three and four year olds, £1/hr for younger children).

Central funding would be focused on support for safeguarding and quality, and on providing support to ensure that providers recognised the different development needs of children under three, as OFSTED might not inspect new provision for up to three years. EIF would now be available from 9 months and support to the sector would be needed to manage that.

It was proposed that maintained nursery school supplementary grant would be distributed on the same principles as in 2024/25.

Free school meal funding rates would continue to be linked to school funding rates, for eligible children in state provision accessing funded entitlement before and after the lunch period.

The Chair noted that the proposals were similar to 2024/25.

The maintained nursery rep noted the low response rate from the huge PVI provider sector to last year's consultation (see data below) and asked what could be done to raise their level of understanding and participation. The network meetings would come too late in the term. A webinar (or 2) could be held. She also noted that the earlier publication of funding rates, in 2024/25, had been appreciated by the sector.

Members asked whether EIF takeup data was used to support planning for SEND demand, suggesting that children on the highest levels of EIF funding (or with a EHCP aged 2) were generally likely to require specialist placements at year R. They suggested that it could be used to help in planning to meet future demand. JB advised that EIF does not collect a child's primary need as this is only written into EHCP plans once they are finalised. However, EIF data in general was used to inform the SEND key stage transfer process, as well as other early years data. She was happy to share information on how it was used. **Action for JB/Carol S?**

Another argued that the removal of specialist SEN places in maintained nurseries did not support early intervention, and that many year R pupils admitted to a special school would have benefited from specialist SEND nursery provision.

Data: PVI sector responses to autumn 2023 funding consultation
Responses 2 academies, 5 maintained schools, 1 independent school, 65 childminders, 59 PVI providers

10 Schools Forum issues

Future meetings

Next meeting date amended to Tuesday 8 October 2024, on Teams.
The main agenda item would be the outcome of the funding consultation.

Processes for election of secondary academy reps were currently being reviewed on behalf of secondary phase council.

11 Other business

Kate Keane was retiring as a Vice-Chair of Schools Forum after over six years in that position. The Chair thanked her on behalf of the Forum for her work for it and for Surrey schools and children.

Meeting ended 3.00pm

Date of next meeting

Tuesday 8 October 2024, 1pm start, on Teams