



North Tyneside Council

# Minutes

**Meeting** Schools Forum **Date** Wednesday 11 January 2023

**Location** Via Microsoft Teams

**Present**

✓ Present  
D Deputy  
A Apologies  
O Absent

Name	Organisation	Representing	10.11.22	11.01.23
Anthony Gollings	St Thomas More	RC Diocese	✓	✓
Angi Gibson	Hadrian Park Primary	Primary	✓	✓
Claire Garbutt	St Columba's Primary School	Academy	✓	✓
Colleen Ward	Coquet Park First School	Primary	✓	✓
David Bavaird	Norham High School	Governor - Secondary	✓	O
David Watson	St Thomas More	Academy	✓	✓
Diane Turner	Tyne Met	16-19 Provider	A	O
Finn Wilcock	Southridge First School	Primary	✓	✓
Gavin Storey	Cullercoats Primary	Primary	✓	✓
Jill Wraith	Benton Dene Primary	Primary	D (Carmel Parker)	D (Carmel Parker)
Joanne Thompson	Holystone Out of School	Early Years PVI	✓	✓
John Croft	Sir James Knott	Nursery	✓	✓
John Newport	Marden Bridge Middle School	Middle	✓	✓
Karen Croskery	North Tyneside Student Support Service	PRU	✓	✓
Kelly Holbrook	Longbenton High School	Secondary	✓	✓
Kerry Lillico	Grasmere Academy	Academy	✓	O
Laura Baggett	Monkhouse Primary	Primary	D (Harriet Bland)	✓
Lesley Griffin	Wellfield Middle School	Governor - Secondary	✓	✓
Louise Bradford	Diocese	C of E Diocese	✓	✓
Matt Snape	Marden High School	Secondary	✓	✓
Michael Young	Spring Gardens Primary	Primary	✓	✓
Paul Johnson	Churchill Community College	Secondary	✓	✓
Peter Gannon	Silverdale School	Special	✓	✓
Peter Thorp	Redesdale Primary	Governor - Primary	✓	A
Philip Sanderson	Kings Priory	Academy	✓	✓
Phil Kemp	Trade Unions	Trade Unions	D (Clare MacLeod)	✓
Rob Harker	Carville Primary	Primary	✓	✓
Stephen Baines	Holystone Primary	Primary	✓	✓
Steve Wilson	Whitley Bay High School	High	✓	✓
<b>In Attendance:</b>				
Mark Longstaff	Director of Commissioning & Asset Management	NTC	✓	✓
Jon Ritchie	Director of Resources	NTC	A	✓

Claire Emmerson	Senior Manager - Finance Strategy & Planning	NTC	✓	✓
Andrew Brown	Principle Accountant, Finance	NTC	✓	✓
Jane Cross	Senior Business Partner, Finance	NTC	✓	✓
Diane Thompson	Senior Accountant – Schools Finance	EQUANS	✓	✓
Christina Ponting	Senior Manager - Schools HR	EQUANS/NTC	✓	✓
Mary Nergaard	PA to Director of Commissioning & Asset Management	NTC	✓	✓
Lisa Cook	Assistant Director, Education and Inclusion	NTC	✓	✓
Mark Mirfin	Assistant Director, SEND Transformation	NTC	✓	A
Ian Wilkinson	Strategic Lead, Education and Inclusion Review	NTC	✓	✓

Item		Action
1.	<b>Apologies for Absence</b>	
	See table above.	
2.	<b>Attendance Register / Membership / Roles and Responsibilities</b>	
	<ul style="list-style-type: none"> <li>CP noted that David Bavaird and Peter Thorpe have been reconfirmed as Governor representatives</li> <li>Claire Garbutt has now replaced Andrew James and an Academy representative</li> <li>Steven Baines' term of office comes to an end at the end of January. CP is working with Stephen Baines and his locality to reconfirm/fill that post</li> <li>The chair reminded Forum of their roles and responsibilities</li> </ul>	
3.	<b>Virtual Public Meeting / Observers</b>	
	The Chair welcomed the public to the meeting.	
4.	<b>Declaration of Interest</b>	
	<ul style="list-style-type: none"> <li>None received</li> </ul>	
5.	<b>Minutes of the last meeting</b>	
	Minutes agreed as an accurate record of the meeting.	
6.	<b>Matters Arising</b>	
	<p><b>Page 2, Item 6 – Matters Arising: Falling Rolls and Growth Fund Proposed Allocations:</b></p> <ul style="list-style-type: none"> <li>LB had previously raised a query around eligibility and asked for some further information to understand the funding fully. CE was to pick up a conversation with LB outside of the meeting, however, due to an extended period of leave this has not yet happened.</li> <li><b><u>ACTION CARRIED FORWARD:</u> CE to pick up a conversation with LB to resolve the outstanding queries relating to eligibility for Falling Rolls and Growth Fund</b></li> </ul> <p><b>Page 5, Item 6.1a – Funding Distribution and Finance Update: Schools in Deficit:</b></p> <ul style="list-style-type: none"> <li>Sub-group of schools forum were to meet to review the SRMA deployments and review the support being offered to schools in deficit.</li> </ul>	CE

	<ul style="list-style-type: none"> <li>CE noted that we have come to the end of the SRMA deployments and meetings are scheduled for next week. Once these meetings have been concluded there will be a meeting of the sub-group to review the feedback.</li> </ul> <p><b>Page 6, Item 6.1b – NFF and Outcome of Consultation:</b></p> <ul style="list-style-type: none"> <li>It was requested at the last meeting for consideration to be given to the comments raised relating to timing of the consultation and also protecting anonymity of schools to help encourage a higher response.</li> <li>CE noted that the comments and feedback have been acknowledged and will be considered.</li> </ul> <p><b>Page 9, Item 6.1b – NFF and Outcome of Consultation:</b></p> <ul style="list-style-type: none"> <li>PS requested that the list of de-delegated items be circulated.</li> <li>CE noted that the list was circulated as part of the papers for this meeting.</li> </ul> <p><b>Page 10, Item 6.3 – Consideration of Special Leave for 2022/23 Financial Year:</b></p> <ul style="list-style-type: none"> <li>An email was forward to Forum members to confirm the detail provided at the meeting.</li> <li>A further report is to be presented under Item 6.3 of this agenda.</li> </ul> <p>All other actions are covered on the agenda.</p>	
<b>6.1</b>	<b>Council Financial Position – Update</b>	
	<p>CE talked through the presentation on screen. Main points to note as follows:</p> <ul style="list-style-type: none"> <li>Currently in the middle of the budget consultation period.</li> <li>An overview on how the Authority's budget is spent was provided. It was noted that the DSG and HRA are ringfenced budgets.</li> <li>Overview of where the funding comes from was provided.</li> <li>Table was shown on screen showing the Gross and Net expenditure.</li> <li>The budget setting context explained and an overview of each of the factors (Government Spending Power, North Tyneside's Spending Power and Council Tax) was provided.</li> <li>Council set the budget in February 2022 which identified a potential gap of £7.471m. Emerging pressures have increased the potential gap to £23.106m.</li> <li>Overview of the emerging pressures that contribute to the gap was provided which includes Pay Award, Energy Additional Growth, Care Market (increases in fees and demand), and inflationary pressures. Overview was provided on each of the pressures identified.</li> <li>Overview was provided on the proposals to reduce the gap which led to a revised potential figure of £5.996m.</li> <li>Illustrative detail on potential Council Tax Increases was provided.</li> <li>Overview of the medium-term financial plan was shown on screen that shows a potential cumulative gap of £23.523m by 2026/27.</li> <li>Summary of the proposals to bridge the gap were discussed which includes looking at how we use technology; workforce planning and development; looking at our commissioning, procurement and commercial processes; and looking at how we manage our assets.</li> </ul>	

	<ul style="list-style-type: none"> <li>• Overview of the HRA medium term financial plan was provided.</li> <li>• Overview of the Investment Plan over the next 5 years was provided.</li> <li>• Draft General Fund Investment Plan includes a projected investment of £1m each year to support Carbon reduction targets, and a new year 5 (2027/28) has been added to reflect rolling programme projects such as Asset Planned Maintenance (£2m), ICT infrastructure refresh (£1m) and sustained investment of £2m on additional Highways Maintenance.</li> <li>• Report due to go to Cabinet on 30 January which will outline the updated position.</li> </ul>	
<b>6.2</b>	<b>Schools Finance Update</b>	
	<p><b>a. National Funding Formula</b> <span style="float: right;"><b>Claire Emmerson</b></span></p> <p>CE talked through the presentation on screen. Main points to note as follows:</p> <ul style="list-style-type: none"> <li>• It was noted that the contents of this report forms part of the Cabinet Budget process.</li> <li>• As per 2022/23 the DSG includes funding previously allocated as grants for pay awards and pension increases and the Schools Supplementary Grant.</li> <li>• Table 1 of the report shows the allocation with the previous years for comparison. Overview was provided.</li> <li>• The Schools Block Allocations for 2023/24 were shown on screen, subject to final amendments. (Appendix B of the report).</li> <li>• Allocation uses the October 2022 Census which shows a slight increase in the numbers on roll (NoR). Overview of the changes was provided.</li> <li>• It is proposed that the Minimum Funding Guarantee (MFG) is set at 0.5% with Capping at 4.5% for affordability.</li> <li>• £0.250m allocated for Falling Rolls.</li> <li>• £0.250m allocated to Growth Funding.</li> <li>• Total funding available to distribute to schools is £147.086m.</li> <li>• Schools Forum voted against a 0.5% block transfer from the Schools block to the High Needs block which has been noted in the DSG Management Plan.</li> <li>• The Authority continues to work with the High Needs Sub-Group on the DSG Management Plan Themes.</li> <li>• The DSG Management Plan submission does include an assumed block transfer for years 2 to 5 of the plan. However, this would be subject to an annual vote by Schools Forum.</li> <li>• DW asked if the ESFA were aware that the 0.5% transfer was not going ahead in 2023/24. CE confirmed that ESFA have been informed. JR noted that there was an expectation from the ESFA that there would be a transfer, however, we have made them aware that it would not be appropriate to go ahead and mandate a transfer at this stage and go against the Schools Forum vote to seek a disapplication request.</li> <li>• JR was clear that the deficit can't continue at this level.</li> <li>• Options both with and without the transfer are being explored. However, the ESFA have indicated that the expectation is there for a 0.5% transfer, and they will be monitoring the plan throughout the 5 years.</li> <li>• JR noted that even if we were successful in getting the maximum level of funding from the ESFA, this would not cover the total deficit and there</li> </ul>	

	<p>would still be a requirement for further actions across Schools and the Authority to be implemented.</p> <ul style="list-style-type: none"><li>• JR reiterated that the transfer in years 2-5 of the plan is an assumption, but it is not mandated at this time and will still be subject to an annual Schools Forum Vote.</li><li>• ML noted that as the plans progress the ESFA will be monitoring the progress and there is an expectation that regular monitoring returns are forwarded</li><li>• PG provided an overview of the comments in the chat as follows:<ul style="list-style-type: none"><li>○ Lisa Cook noted that we had a robust discussion at the Sub Group and the decision was to not bring the request back to SF this financial year. We will continue to work in the sub group on the work streams and how these could impact schools positively.</li><li>○ Anthony Gollings noted that the High need sub group met on 19 December. From his perspective work continues and the case for 0.5% transfers from the Schools block has not yet been made. This was acknowledged by the group as something that would require further work, discussion and agreement at Forum.</li></ul></li><li>• PG also noted that the sub-group would benefit from more Schools Forum representatives to ensure that the process is as collaborative as possible and that everyone understands the process.</li><li>• DW asked for confirmation that a 0.5% transfer would not be mandated.</li><li>• JR noted that based on the current rules from the DfE/ESFA, the intention would be that the 0.5% transfer would be subject to an annual vote.</li><li>• MY asked why the plan isn't based on the assumption that the transfer will not take place given that it was such a unanimous decision to reject it this year.</li><li>• JR noted that we cannot allow the current position to continue, irrespective of the DSG management plan, actions need to be taken to address and reduce the deficit. It was agreed that it would not be appropriate to proceed with the transfer this year, however, we need to take action to stem the overflow and make changes even without the Safety Valve programme.</li><li>• ML noted that it's right and proper that we have these conversations on an annual basis as part of the requirement to consult with Schools Forum. ML noted that Schools Forum have agreed to a transfer in previous years, or a part transfer on occasion whereas there are other years where they haven't.</li><li>• ML noted that it's a collective responsibility to convince the government that every possible action is being considered to effectively reduce the deficit.</li><li>• CE noted that it is always an emotive discussion. Taking on board the comments, doing nothing is not an option. CE also noted that in 2021/22 the vote was only just over 50% against so the vote was much closer in the past than what it has been this year.</li><li>• It was noted that engagement is key to the collaborative process</li><li>• It was reiterated that the ESFA will be monitoring the plan at every stage and that we need to work collectively to ensure that the needs of our children with SEND can be met appropriately.</li></ul>	
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- MY noted that JR was new in post as the Director of Resources and that the High Needs Budget has been overspent by over £4m for the last 5 years and that he feels the Authority has not done enough to tackle this deficit. MY noted that he believes the responsibility for this cannot fall to frontline schools.
- JR noted that whilst he is new in post, he was at Sunderland Council before that and previously worked at North Tyneside Council before that and reiterated that this is a national issue that is happening with LAs up and down the country.
- The number of requests for support have increased as well as the size and scale of support packages required.
- It was reiterated again that the transfer is a voluntary decision and is not mandated. However, the ESFA has indicated that there is an assumption that a transfer should be included in the plan.
- JR noted that whilst this is a conversation about Schools Block and High Needs block, it is important to remember that this is still spend on the children of the borough. It is not a “top-slice” for the local authority, but to support high needs both in special schools and mainstream settings for school pupils in North Tyneside.
- JR also noted that we cannot keep on spending to that level and this requires us as a sector to work differently which includes the Authority and all schools, not just special schools.
- **High Needs Block**
- £33.265m includes an increase of £3.481m from 2022/23.
- It also includes a deduction of £0.341m made by the Education Skills and Funding Agency for direct funding of places.
- Projected £4.416m pressure in 2022/23, cumulative pressure is therefore estimated at £17.927m going into 2023/24 and will form part of the DSG Management plan.
- The Forecasted High Needs Overspend as at November 2022 is shown in Table 2 of the report which was shown on screen.
- **Early Years**
- The proposed Early Years funding is outlined in table 4 of the report. Overview was shown on screen.
- JC noted that the EY sub-group met in December, however, the Government hadn't confirmed the figures yet. The assumptions made by the group was in line with what came out from the DfE.
- LB asked if this also included an allowance for pay increases.
- JC noted that this was covered in line 4 of the table - 3 & 4 Year Old Hourly Quality Supplement - Teachers Pay and Pension Grant Supplement which is available to provision led by a qualified teacher, who is paid according to national teacher pay scales and is a member of the teachers' pension scheme.
- **Central School Services Block (CSSB)**
- Funding reduced in relation to historical funding by £0.159m, which represents a 20% reduction in funding. Ongoing functions have had an increase of 5.86% as shown in table 5 of the report which was shown on screen leaving a net reduction in funding of £0.103m.
- Following consultation with School Forum, the Authority's proposals are identified in table 6 of the report which was shown on screen. Overview was provided.

	<p><b>b. De-Delegation including Centrally Retained</b></p> <ul style="list-style-type: none"> <li>CE reminded Schools Forum that we have moved to the NFF in North Tyneside.</li> <li>De-delegated services are for maintained schools only; funding for de-delegated services must be allocated through the mainstream formula but can be passed back, or 'de-delegated', for maintained primary and secondary schools with Schools Forum approval.</li> <li>CE noted that changes in the Funding Formula for English as another Language as it is no longer mirroring the NFF. This is because it would create a larger De-delegation for EMTAS.</li> <li>The list of proposals for de-delegations for 2023/24 is included in table 7 of the report which was shown on screen.</li> </ul> <p><b>Recommendations</b> Schools Forum is asked to:</p> <ul style="list-style-type: none"> <li>Note update on the allocations for 2023/24 for each of the four funding blocks and the proposals for the distribution of funding. <b>Noted</b></li> <li>Note the changes to the Schools block funding and the impact of the changes following 100% movement to the NFF. <b>Noted</b></li> <li>Approve the services funded under CSSB as outlined in table 6. <b>Approved</b></li> <li>Acknowledge the pressure in the High Needs block. <b>Noted</b></li> <li>Acknowledge the changes to Early Years funding allocations proposed for 2023/24 and that the funding formula will be shared with the sector prior to implementation. <b>Noted</b></li> <li>Approve the de-delegated items rate per pupil outlined in table 7. <b>Approved except for lines 5 and 6 of the table relating to the Special Leave SLA which were deferred to Item 6.3</b></li> </ul>	
<b>6.3</b>	<p><b>Consideration of Special Leave for 22/23 Financial Year</b></p> <p style="text-align: right;"><b>Christina Ponting</b></p>	
	<p>CP talked through the report. Main points to note as follows:</p> <ul style="list-style-type: none"> <li>Annual SLA that is open to all schools.</li> <li>Reminder of how the SLA is split between Part 1 (Maternity, Adoption, Paternity, Shared Parental Leave and Jury Service); and Part 2 (Trade Union Facility Time) was provided.</li> <li>Not all schools buy into both parts of the SLA. Some schools don't buy into part 1, however, all schools buy into part 2.</li> <li>Refunds to schools are always paid in arrears with part 2 being paid first / at 100% and acceptance that part 1 is paid thereafter and may not be repaid at 100%.</li> <li>Current rate is £27 per pupil (£21.97 for Part 1 and £5.03 for Part 2).</li> <li>Updates on claims have been provided directly to Schools Forum Members. Overview as follows:</li> <li><b>Part 1</b></li> </ul>	

- Ahead of where we were this time last year. Value of claims have increased YTD and average value of claims is higher per person.
- Continues to be difficult to predict as Schools are eligible to claim for each application that meets the criteria. Reminder issued that this year is expected to be a peak year going by historic patterns.
- Paternity, Adoption and Shared Parental leave have also seen an increase.
- **Part 2:**
- Claims remain in line with expectations but again the value per claim has increased.
- **Considerations for 2023/24**
- In January 2020 Schools Forum agreed that they would review the costs of the SLA each year to ensure that the per pupil rate considered inflation and employment cost figures.
- In January 2022 Schools Forum agreed to hold the rate as £27
- During COVID, claims continued as per standard patterns for part 1, part 2 saw a slight decrease due COVID restrictions/limitations placed on schools at that time.
- Pay awards have now been allocated at an average of 5% which has impacted the value of the claims; new pay levels were processed in December 2022.
- Employers costs have also increased and are likely to increase further.
- Pay discussions for 2023/24 have commenced. Overview was provided on the expectations and the associated impact.
- CP noted that it is unlikely that the Part 1 claims can be paid out at 100% if the estimated monthly values for the remainder of the SLA are on par with predictions.
- To ensure the SLA keeps in pace with changes to basic salaries and employer costs and ensuring the value of the refunded claims is beneficial to schools, a % inflationary increase ranging from 4 to 6% could be considered. Overview was provided of what that would look like.
- **2023/24 Proposals**
- Schools Forum are asked to consider the following:
  - Does Schools Forum want to continue with the SLA for part 1
  - If we proceed with the SLA do we want to increase the SLA rate?
 Potential options as follows:
  - No change to the rate and accept that claims at 100% can't be met
  - 4% = £28.08 (Increase of £0.88 for part 1, and £0.20 for part 2)
  - 5% = £28.35 (Increase of £1.10 for part 1, and £0.25 for part 2)
  - 6% = £28.62 (Increase of £1.32 for part 1, and £0.30 for part 2)

Discussion followed around:

- LB asked what would happen if schools opt out of part 2.
- CP noted that for schools that are part of the learning trust are required to be part of the SLA as part of the articles of being a trust school and a similar requirement would follow for community schools. Other schools can choose but as part of agreements established at times of transfer, etc. e.g., TUPE a requirement to be included was also factored in.



Schools therefore have limited scope to not be included and would find that they were not able to access support for their staff in school (who have a right in some instances to be represented), plus other guidance/advice that was facilitated via trade union colleagues. The SLA provided for all trade unions to have funded release time for all employees ranging from Head teachers/Leadership team, teaching staff and support staff. Schools who were maintained we included in the SLA via the de-delegation arrangements that were being considered; Academies, Special and Nursery schools had to enact their inclusion via a different route as their funding came from a different source, e.g. ESFA, High Needs, Early Years and not DSG.

- DW raised a query for schools who bought into only part 2, was there a proposal for the increases in per pupil value to uplift at a different rate? CP noted that for 2023/24 this was not the suggestion but for future years that was a possibility as part 1 did subsidise part 2.
- SW asked what the minimum increase would need to be to cover the cost of all claims. CP noted that the SLA runs from April to March and reiterated the difficulty in predicting the claims values, particularly without knowing what the pay awards negotiations will be, which for teaching staff would be effective in September 23 and for support staff from April 23. Based on the expectations as outlined earlier relating to potential future pay awards, CP noted that her preference would be the higher increase of 6%.

### **Recommendations**

Schools Forum having read this report, clearly understanding the information provided and having asked sufficient questions to ensure clarity:

- Note the contents of this report.

#### **Noted**

- Confirm that they wish the SLA to operate on the points as noted above item a-c
- **Agreed**
- Decide if they wish the SLA to operate as it does currently with the Authority overseeing the SLA on behalf of Schools Forum or if they wish to look at alternative options – and to identify if this is what they wish to do establish a sub-group of school's forum members (with a chair) to lead on this on behalf of Schools Forum, as noted above item d

**Forum Agreed to continue with the SLA. Votes for those eligible to vote only on de-delegated matters, as follows:**

- **For = 15**
- **Against = 0**
- Decide if they wish to review the per pupil rate for the 23/24 SLA – operating from 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2024 and if they wish to review the rate and if so at what % increase, as noted above item e.

**Forum Agreed to increase the rate by 6% which equates to £28.62 per pupil (£23.29 for part 1, £5.33 for part 2). Votes for those eligible to vote only on de-delegated matters as follows:**

- **For = 15**
- **Against = 0**

	<b>N.B: this concludes 6.2a as noted above and confirms acceptance of lines 5 and 6 of Table 7 at a revised combined per pupil rate of £28.62 (increase of 6%) from April 2023.</b>	
<b>7.</b>	<b>Any Other Business</b>	
	<p><b>Catering Services:</b></p> <ul style="list-style-type: none"> <li>• MY requested that a sub-group be called to look at catering services noting his concerns over the tendering process.</li> <li>• Discussion followed on whether this should be an item for the agenda of the next Forum to agree if a sub-group was the correct way forward</li> <li>• <b><u>ACTION:</u> CP to have a conversation with ML regarding the best approach.</b></li> <li>• ML reminded Forum that he is more than happy to have conversations with individual schools on the tendering process.</li> <li>• MY raised concerns of the perception of “lack of transparency”, “threats” and “inaccuracies” in the information that had historically been shared and feelings that it was still a concern amongst some governing body members that he had talked to.</li> <li>• ML noted his disappointment in those views remaining to be held by some. The Authority has been completely transparent, with ML having previously shared a large amount of information with Schools Forum and also with individual Schools. ML further reiterated that he was more than happy to pick up a conversation outside of this meeting with individual schools.</li> </ul> <p><b>Attendance</b></p> <ul style="list-style-type: none"> <li>• CP noted that David Bavaird and Kerry Lilico were not in attendance which was unusual as they are both regular attendees. CP noted that she would check in with them to ensure that everything is ok.</li> <li>• CP also noted that there was no representative from the college again which has been a consistent occurrence for some time. She will remind them of their ability to attend and Forum members continued wish for them to attend/ be included in the discussions/ Forum.</li> <li>• <b><u>ACTION:</u> CP to pick up a conversation with the college on attendance at Schools Forum meetings.</b></li> </ul>	<p><b>CP</b></p> <p><b>CP</b></p>
<b>8.</b>	<b>Date of next meeting</b>	
	Wednesday, 22 March 2023 at 12:30pm, via Microsoft Teams.	