

## **DERBYSHIRE COUNTY COUNCIL DERBYSHIRE SCHOOLS FORUM**

### **Minutes of the Meeting Held on 11 December 2024 at County Hall, Matlock at 4.45pm**

#### **Present**

- Richard Bull - Dronfield Junior School
- Matt Stretton - Coton in the Elms Primary School
- Peter Johnston - The Village Federation
- Chris Greenhough - Swanwick School and Sports College
- Ann Donaghy - Archway Learning Trust
- Cassie Hurt - Eureka Primary School
- Grant Worthington - Flying High Trust
- Melanie Lawson - Embark Trust
- Paul Scaife - Embark Trust
- Julian Scholefield - Esteem MAT
- Karen Hayes - Esteem MAT
- Keith Hirst - Redhill Academy Trust
- Deborah Turner - NEU

#### **Substitutes**

- Amy Musgrove - Substitute Secondary School
- Andy Kelly - Substitute Academy
- Liz Seymour - Church of England Diocese - Derby

#### **Observers**

- Councillor Alex Dale, DCC
- Councillor Ruth George, DCC

#### **Derbyshire County Council officers**

- Alison Noble - Temporary Executive Director, Childrens Services
- Helen Wallace - Interim Director, Schools and Learning
- Eddie Grant - CS & T Finance
- Elena Beard - CS & T Finance
- Ruth Lane - CS & T Finance

Peter Johnston chaired the meeting.  
It was noted that the Forum was quorate.

## **24/29 - Apologies for Absence**

- John Payne - Edale Primary School
- Nadeem Shah - Park Schools Federation
- Michelle Jenkins - Etwall Primary School
- Heather Watts - New Mills Secondary School
- Donna Hain - Redhill Academy Trust
- Nicola Cook - Team Education
- Adele France - Minerva Learning Trust
- Canon Carolyn Lewis - Church of England Diocese – Derby
- Simon Redfern - Catholic Diocese Academy Trust
- Kate Martin - Derby College Group
- Peter Monk – ASCL
- Sarah Bryan - DCC Senior Advisor
- Phil Burrows - CS & T Finance
- Andy Walker - CS & T Finance

## **24/30 – Election of Vice Chair**

Julian Scholefield volunteered for the position of Vice Chair and was elected unopposed.

## **24/31 - Minutes of The Schools Forum 23 October 2024 and actions arising**

Accuracy - Richard Bull and Anne Donaghy had sent their apologies for the previous meeting which had not been noted.

Matters arising – Councillor Dale confirmed that Democratic Services were unable to support Schools Forum as they do not have the capacity. The Forum could pay for external support as it was funded.

Updates from District and Borough councils regarding rates processes and from the Strategic Lead for Schools and Learning would be provided as separate agenda items.

Peter Johnston confirmed the jargon buster and induction slides had been circulated to members and providing documentation in a PDF format was an ongoing matter.

Eddie Grant confirmed Chris Greenhough had been approached and confirmed his support for top slicing for the special school sector.

## **24/32 - Schools Forum constitution**

Eleanor Beard presented a paper to ask all forum representatives for their views and any recommendations on the draft constitution.

A discussion then took place:

- A Union representative asked for the rationale regarding why they were now to be given observer status rather than member status with the ability to vote on non-financial matters.
- The reply was this had previously been an error and they should have been observers as per the DfE guidance for Schools Forums.
- Peter Johnston asked the Union representatives to send in queries on this matter in writing to be considered.
- Clarification was given regarding the new failure to attend section which should read that if a member fails to attend two consecutive meetings and not provide the Forum with reasonable apologies, or, where appropriate, arrange a suitable substitution to attend on their behalf, they will be contacted by the Clerk about their future intentions for Forum attendance. If this failure to attend extends to three consecutive meetings, without good reason, the Forum will have the power to disqualify that member from continuing to hold office on the Forum.

Action point: Revisit this item at the next meeting for clarification on the Union members status on the Forum

Responsibility: Eddie Grant

Timeline: Next meeting

### **24/33 - Update from the Acting Director for Schools and Learning (Helen Wallace)**

A verbal update was provided by Helen Wallace regarding the response to the SEND inspection in Derbyshire on 15 November 2024.

A discussion then took place:

- Helen confirmed that she will be the acting Director for Schools and Learning until the end of August 2025 and that two further interim director posts are being advertised internally to provide immediate capacity to complete the large number of workstreams in place, especially following the SEND inspection. These are not permanent positions and they will be advertised externally, but the interim appointments allow for work to continue during the longer period of external recruitment. It was clarified that the roles of any internal appointments would be also be back-filled as this is not a cost-saving exercise. The SEND team is working extremely hard under challenging circumstances.

- The new work done in establishing partnerships and boards is ongoing and is being well received, the minutes and notes of the various partnership boards will be published via the Local Offer.
- Suspensions and exclusions for pupils have been reduced by 40% and 36% respectively in the September to November 2024 period compared with the previous year. Whilst the statistics are factual, there was some debate about any conclusions that could be drawn regarding the reasons for the reductions from the previous year, with suggestions including the improvements in inclusion support from the LA and expansion of Alternative Provision in Academy schools.
- Queries were raised regarding delays in new/increased provision in ERS units in mainstream schools, particularly in the High Peak area and discussions on this matter are ongoing.
- The improvement in Derbyshire's SEND offer will be overseen by the DFE who will be doing quarterly monitoring and Ofsted will re-inspect the department in 18 months' time.

At this point Peter Johnston left the meeting and Julian Scholefield stepped into the position of Chair.

## **24/34 - Indicative Funding Settlement 2025 to 2026**

Eddie Grant presented a paper to inform the Schools' Forum of the indicative national school funding settlement for 2025 to 2026 and the potential implications for Derbyshire.

Firstly, he mentioned that other DfE funding announcements had been made in the last few days:

- A capital grant of £740 million nationally to improve SEND facilities in mainstream schools, normally Derbyshire would expect to receive approximately 1% of such funding.
- A grant relating to NI increases in schools would be received with more details to follow.
- The Safety Value Programme for LA's with High Needs Block (HNB) deficits has been paused, awaiting results of the national SEND review.
- Some details regarding Early Years funding rates had been published, although further details are still awaited.

More information of all of these would be provided at the next meeting.

Action point: Update on the most recent DfE funding announcements to be provided at the next meeting

Responsibility: Eddie Grant

Timeline: Next meeting

## **Schools Block, excluding Pupil Growth**

Derbyshire's provisional budget for 2025 to 2026 is £634.902 million, a 2.27% increase from 2024 to 2025. This increase includes additional grants and adjustments from the previous year. Not all National Funding Formula (NFF) multipliers have increased, with changes ranging from 0.4% to 5.3%. Basic entitlement and lump sum allocations have increased by 1.9%. A list of the national mainstream multipliers was provided.

The Minimum Funding Guarantee (MFG) for 2025 to 2026 will range from -0.5% to 0%, which is a change from previous years. This adjustment aims to ensure the 2024 teacher pay award remains funded. The impact of free school meals (FSM) counts on the budget is uncertain, as higher counts will not affect funding until 2026-27. The Department for Education (DfE) will allow gains for individual schools to be capped or scaled back to maintain affordability.

Local authorities must move their formulae 10% closer to the NFF, however, Derbyshire's formulae already closely mirrors the national values.

## **Pupil Growth and Falling Rolls Fund**

This section of the Dedicated Schools Grant (DSG) funds in-year pupil growth, new free schools, and Key Stage 1 class sizes. Specific allocations for 2025 to 2026 are not yet published, as they depend on comparing pupil numbers from October 2024 to October 2023.

The Schools' Forum will discuss budgets funded by Pupil Growth and Falling Rolls resources in their next meeting in January.

## **High Needs Block**

The indicative settlement for Derbyshire is £126.657 million, an increase of £9.902 million (8.48%) on 2024 to 2025.

Considering the projected HNB overspend and inflation, the increase is unlikely to be sufficient to meet rising cost pressures and demand for additional high needs places.

Pay and pension grants are to continue for special schools.

Derbyshire's 2025 to 2026 high needs grant and its allocation will be the subject of reports to the January 2025 Schools Forum meeting.

## **Central School Services Block (CSSB)**

Derbyshire's funding rate for ongoing responsibilities for schools and academies (admissions, Schools Forum, licences and former ESG Retained Duties functions) will rise from £39.40 to £43.75 per pupil.

The level of CSSB spend is a matter for the Schools Forum with the Secretary of State making the final decision should agreement not be reached. A report setting out the Authority's proposals for 2025 to 2026 will be brought to the Schools Forum meeting in January.

## **Early Years**

No information at this stage, initial allocations will be published in December 2024. The entitlements that are being extended further and introduced in September 2025 will also be included in a report to the Schools Forum in January.

A discussion then took place:

- In the consultation sent to schools the anticipated Minimum Funding Guarantee (MFG) range was between 0% and +0.5% with the LA intending to use +0.5%. The latest DfE guidance is it must be between -0.5% and 0% with the LA intending to use 0%, although no modelling has been done yet, due to time restraints and that data counts from the DfE are still awaited.
- Rumours started circulating yesterday that Teachers would be receiving an unfunded pay rise of approx. 2.2% from September 2025.
- Final figures for Special School and Alternative Provision places have to be confirmed for the APT deadline date of 22 January 2025, however additional places agreed during the year can be funded during the year from Top-up funding.
- Members voted on the LA's proposal to adopt an MFG rate of 0% which was approved by 10 votes to none against.

## **24/35 - DSG 2024 to 2025 Quarter 2 monitoring**

Eddie Grant presented a paper to provide the Schools' Forum with the quarter 2 projected Revenue Budget outturn position of the Dedicated Schools Grant for 2024 to 2025.

The net total DSG deficit brought forward from 2024 to 2025 was £16.945 million, which represents an accumulated overspend against the allocated grant of £20.255 million, partially offset by other earmarked DSG reserve funds.

There is projected overspend of £26.436 million, almost exclusively due to a projected overspend of £27.724 million within the High Needs Block. The largest components of this are £7.751 million of Element 3 top up payments in respect of mainstream secondary, primary and nursery school children, and £14.454 million of Element 3 top up payments in respect of Independent non-maintained schools. This would result in a total deficit at 31 March 2025 of £43.381 million.

DfE regulations state that a DSG deficit must be carried forward to be dealt with from future DSG income, unless the Secretary of State authorises the LA not to do this.

A discussion then took place during which the following points were noted:

- In 2023 to 2024 there were approx. 300 pupils in independent provision costing approx. £75,000 each.
- The numbers of EHCP's in Derbyshire has doubled over the last 5 years.
- The number of pupils in LA Special Schools is increasing by approx. 125 each year.
- Some Independent Special Schools are not taking pupils with the most complicated needs and some of their children have fewer needs than some children in mainstream schools at present.
- Until tribunals move away from parental preference being the major consideration, we are fighting a losing battle, no matter much capacity is improved within the LA.
- Once a child is placed in an independent school, it is quite difficult to return them to an LA school, although this is being done in Derby City, there are no plans at present to do this in Derbyshire.
- In the High Peak area, private providers are setting up schools for high functioning autistic pupils and encouraging parents to move pupils, are the LA's planning on offering anything similar in the area?
- The LA does have a HNB plan, currently in draft form which will be brought to Forum in the future. The HNB deficit is a national problem, around £3 billion - £5 billion, and the DfE recognises that the current funding system does not work. Derbyshire's £43 million deficit is enough to bankrupt the LA but there is a DfE override in place to March 2026 allowing LA's to exclude the deficit from their balances, but we must have plans for the future to address the position.
- Independent Schools are not currently on the new SEND partnership Boards.
- Providing support for SEND in mainstream schools is crippling staff.

- We must focus on what the impact is for the child of our SEND support, but at the same time cannot ignore the budget.
- Derbyshire can only address its own SEND issues, although it can work with, learn from and collaborate with other LA's.

Action point: HNB plan to be brought to Forum

Responsibility: Eddie Grant

Timeline: January 2025 / July 2025 School Forum

## **24/36 - Exceptional circumstances funding 2025 to 2026**

Eddie Grant presented a paper to ask Schools' Forum to approve Derbyshire's disapplication request to continue to use the exceptional circumstances (rents) factor.

To meet DfE deadlines, an application has already been submitted to the DfE and is in the process of being considered for 7 Derbyshire schools who operate in buildings that are entirely rented from a third party. This has been agreed in principle by the DfE but requires Forum approval which was given unanimously.

## **24/37 - Permanent exclusion deductions**

Eddie Grant presented a paper to inform the Schools' Forum of the LA's intention to move to an average per pupil methodology when calculating deductions and additions following permanent exclusions and admissions in schools.

A discussion then took place:

- No modelling has been done to assess unintended consequences.
- Whether using the current individual specific calculation or an average pupil calculation the figure will be higher in a smaller school than a larger one, due to the nature of the lump sum funding being spread less thinly in smaller schools.
- DfE regulations state that deductions in funding should be made for exclusions and some local authorities add penalties which Derbyshire choose not to. Pupils who are excluded probably cost a school more on average than other pupils.
- Information regarding exclusion costs need to be communicated to the exclusions team to pass on to schools as one Forum member had recently excluded a pupil and was unaware of such costs.
- Clarification is required as to at what point the financial calculation starts. Is it from the point of exclusion or at confirmation of exclusion?



- The funding deducted from a school on exclusion goes to the HNB in general, however it can go to the mainstream school setting if that is where the child moves to.

The Forum gave its general approval of the change in calculation method.

Action point: Details of exclusion costs to be added to next SSF newsletter

Responsibility: Ruth Lane

Timeline: February 2025

Action point: Clarify at what point the financial calculation commences

Responsibility: Phil Burrows

Timeline: Next meeting

## **24/38 – School rates update**

Eddie Grant presented a paper to update the Schools' Forum on the funding of schools National – non Domestic Rates (NNDR) following the report brought to Forum in July 2024. The issue is one of time lag, as the LA receives income for rates at the previous years rate but has to pay at the current years rate. In 2023 to 2024 the shortfall was £0.5 million, in 2024 to 2025, it was £0.3 million.

Pre July 2024, two local billing authorities agreed to implement the centralised payment process, one declined and five did not respond. Following communications after the July Schools Forum meeting four authorities agreed and four have still not responded.

A discussion then took place:

- Councillor Dale confirmed he will write again to the District and Borough Councils (DC's and BC's) and ask Barry Lewis to do the same.
- This issue was discussed at an EMFOG meeting (Finance Officers of East Midlands LA's and DfE representative) and the DfE advised best way to get DC's and BC's to change is asking schools to write to them.
- We think the DC's and BC's are reluctant because it may be a change to their systems in the short term but should simplify rates collection in the longer term. Councillor Dale said in NEDDC, they originally declined as they thought it would require a lot of manual work, however, it was not as bad as originally thought.
- Eddie Grant confirmed he would raise the matter at the next meeting of Finance Officer of the LA and the DC's.
- PFI school calculations are not thought to be complicating the issue.

- For 2025 to 2026, the LA will continue to operate the historic system and organise DSG funding and payments to district and borough councils for the NNDR on behalf of maintained schools.

Action point: Discuss School Rates payments at next meeting with DC's finance Officers

Responsibility: Eddie Grant

Timeline: TBC depending on frequency of meetings

## **24/38 – School rates update**

To focus on SEN support for the individual child and consider their needs first.

Next meeting – Wednesday 29 January at 4.45pm at County Hall.

The meeting closed at 6.45pm

## **Summary of action points**

Action point: Revisit this item at the next meeting for clarification on the Union members status on the Forum

Responsibility: Eddie Grant

Timeline: Next meeting

Action point: Update on the most recent DfE funding announcements to be provided at the next meeting

Responsibility: Eddie Grant

Timeline: Next meeting

Action point: HNB plan to be brought to Forum

Responsibility: Eddie Grant

Timeline: January 2025 / July 2025 School Forum

Action point: Details of exclusion costs to be added to next SSF newsletter

Responsibility: Ruth Lane

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