

# Agenda

## Herefordshire Schools Forum

Date: **Friday 12 July 2024**

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Time: **9.30 am**

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Place: **virtual meeting platform**

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Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Jenny Preece, Democratic Services Officer on 01432 261699 or e-mail [jennypreece@herefordshire.gov.uk](mailto:jennypreece@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the meeting of the Herefordshire Schools Forum

## Membership

**Chairperson** Alison Banner  
**Vice-chairperson** Paul Jennings

Beverley Blower  
Dan Brearey  
Alex Davies  
Paul Deneen  
Nicki Emmett  
Richard Foster  
Nicki Gilbert  
Andy Gosling  
Georgie Griffin  
Edward Gwillim  
Sue Jenkins  
Steve Kendrick  
  
Tim Knapp  
Chris Lewandowski  
Sian Lines  
Rose Lloyd  
Hayley Manns  
Sheila Taylor  
Kathy Weston

PRU - Management Committee  
LA Maintained Primary School  
Academies (primary)  
Trade Unions  
Academies  
Local Authority Maintained Primary School  
LA Special Schools  
Secondary Governors  
Primary Governors  
16-19 Providers  
Local Authority Maintained Primary School  
Local Authority Maintained Primary School  
(with Nursery)  
Academies  
Trade Unions  
Diocese of Hereford  
Early Years  
Early Years providers  
Academy Special Schools  
Local Authority Maintained Primary School

## Agenda

	<b>Pages</b>
<b>1. APOLOGIES FOR ABSENCE</b> To receive apologies for absence.	
<b>2. NAMED SUBSTITUTES (IF ANY)</b> To receive any details of Members nominated to attend the meeting in place of a Member of the Forum.	
<b>3. DECLARATIONS OF INTEREST</b> To receive any declarations of interest by Members in respect of items on the Agenda.	
<b>4. MINUTES</b> To approve and sign the minutes of the meeting held on 12 April 2024.	5 - 8
<b>5. ANNUAL REVIEW OF SCHOOLS FORUM</b> To receive a report on the annual review of membership of Herefordshire Schools Forum and Budget Working Group and to approve any action necessary to maintain proportionality.	9 - 14
<b>6. DATES OF MEETINGS AND WORK PROGRAMME FOR 2024/25</b> To approve dates for meetings to be held and the work programme for the forum for 2024/25 academic year.  The following dates are suggested:  Friday, 18 October 2024 9:30am Friday, 24 January 2025 9:30am Friday, 14 March 2025 9:30am Friday, 11 July 2025 9:30am	15 - 16





**Minutes of the meeting of Herefordshire Schools Forum held at virtual meeting platform on Friday 12 April 2024 at 9.30 am**

<b>Present:</b>	<b>Ms A Banner (LA maintained secondary schools) (Chairperson)</b>	
	<b>Mr P Jennings (Academies) (Vice-chairperson)</b>	
	Ms B Blower	PRU - Management Committee
	Mr P Deneen	Trade Unions
	Ms N Emmett	Academies
	Mr R Foster	Local Authority Maintained Primary School
	Ms N Gilbert	LA Special Schools
	Mrs G Griffin	Primary Governors
	Mr E Gwillim	16-19 Providers
	Mr P Jennings	Academies
	Mr S Kendrick	Local Authority Maintained Primary School (with Nursery)
	Mr C Lewandowski	Trade Unions
	Ms S Lines	Diocese of Hereford
	Ms H Manns	Early Years providers

**In attendance:**

**Officers:** Service Director, Education, Skills and Learning, Strategic Finance Manager, Head of Strategic Finance, Virtual headteacher and Admissions and 14 to 19 curriculum manager

**98. APOLOGIES FOR ABSENCE**

Apologies were received from, Dan Brearey, Alex Davies, Andy Gosling, Rose Lloyd, Sheila Taylor, Tim Knapp and Rosalind Pither - Head of Additional Needs.

**99. NAMED SUBSTITUTES (IF ANY)**

There were no substitutes.

**100. DECLARATIONS OF INTEREST**

There were no declaration of interests.

**101. MINUTES**

The Strategic Finance Manager (SFM) reported that one Local Authority School had resolved its budget pressures through one voluntary redundancy and another was looking to start support staff redundancies.

The Cabinet Member, Children and Young People confirmed a letter had been written and would be sent to the Secretary of State by the end of the day.

**Resolved: that the minutes of the meeting held on 19 January 2024 be approved as a correct record.**

## 102. HIGH NEEDS BUDGET 2024/25

The Strategic Finance Manager (SFM) introduced the report, the following principal points were noted;

- The high needs budget for 2024/25 had been based on the existing budget plus forecast overspends and increasing cost pressures.
- Concern was expressed that the overspend was now greater than the forecast that was prepared two years ago and is still growing.
- The budget working group had accepted the overspend position of a £6.5m funding as a result of cost pressures in excess of the additional grant of £1m provided by the DfE at their meeting on 11 March.
- The Dedicated Schools Grant (DSG) deficit if the statutory override is not renewed after March 2026 will become the responsibility of the council, a major concern amongst local authorities nationally.
- An overspend of £3.7m was forecast for 2023-24 due to the use of out of county schools and increased special and mainstream school top ups. Since the report was published this had risen to £4.9m due to the following additional costs;
  - complex needs of £0.3m in the year end settlement,
  - £0.4m payment of old recruitment bills and some loss of income from 21/22 and 22/23,
  - £0.2m on an unexpected creditor on post 16 college top-ups.
- The DSG grant for 2024/25 in terms of the schools block early years and central services block were agreed by the forum on 19 January 2024.
- The SFM confirmed there had been an 18% rise in Education Health Care Plans in 2023/34 compared to 2022/23 which was a similar increase compared to other Local Authorities.
- Funding had been provided for new resource bases in schools from September 2024. It was not clear to what extent the new provision would be operational. It was likely additional independent out of county special school places would be necessary.
- The budget would be reviewed again in September when the operation of the new provision is more certain.

In response to member's questions it was noted:

1. The Head of Strategic Finance (HSF) confirmed the statutory override was in place until the end of March 2026. The council had not received any further information as to what might happen or whether that override would be extended. The High Needs deficit will have an impact on the council's overall financial position once the override periods ends and this risk was being managed as part of the council's medium term financial strategy. The forum would be kept informed of any new developments.
2. Concern was raised with the level of increase in SEN students in secondary schools.
3. The Service Director, Education, Skills and Learning (SDESL) explained that the local authority is working at pace to provide more specialist provision through the resource-based model. The number of children requiring specialist's provision in the county is significantly increasing, particularly notable in early years but there is an increase across all age ranges. Discussions are continuing with property colleagues to see how the expansion of provision can continue. Failed bids for free special schools are being reconsidered.

The Chair of the Budget Working Group (BWG) highlighted the groups support for maintaining the SEN protection scheme at the same level as in 2023-24 and that the

proportion of the overspend was relatively small verses the impact that it makes to children and young people across the authority.

Recognition of the council's continual support of Children and Young People and what is offered particularly in regards to autism development was highlighted. The consensus of the forum was that they agreed with the BWG that the proposed budget be recommended and that they supported maintaining the SEN protection scheme at the same level as in 2023-24.

**Resolved**

**That the Forum:**

- a) noted the High Needs forecast outturn position for 2023/24;**
- b) noted the Dedicated Schools Grant (DSG) allocation for 2024/25 for the Schools, High Needs and Early Years blocks;**
- c) considered the recommendations of the Budget Working Group (BWG) held on 11 March 2024; and**
- d) recommends a High Needs Budget of £29.7 million for 2024/25 for approval by the Cabinet Member for Children and Young People as set out in Appendix 1, noting the funding gap in 2024/25 of £4.9 million.**

The meeting ended at 10.00 am

**Chairperson**







## **Title of report: Annual Review of Schools Forum Membership**

**Meeting: Herefordshire Schools Forum**

**Meeting date: Friday 12 July 2024**

**Report by: Democratic Services Officer**

### **Classification**

Open

### **Decision type**

This is not an executive decision

### **Wards affected**

(All Wards);

### **Purpose**

To report on the annual review of membership of Herefordshire Schools Forum (the forum) and Budget Working Group (the working group) and to approve action as necessary to maintain proportionality.

### **Recommendation(s)**

**That:**

- a) The outcome of the annual review of proportionality is noted;**
- b) The allocation of seats for the Herefordshire Schools Forum is reduced to 25 seats, 1 seat being removed from Maintained Primary Schools.**
- c) No changes are recommended to The Budget Working Group.**

### **Alternative options**

1. The forum could recommend to keep the total number of seats on the forum the same. This is not recommended as the current number of seats does not provide an appropriate spread of membership to represent the various types of school in Herefordshire.
2. The forum could choose to disregard proportionality in respect of the budget working group. This option is not recommended as it is preferable for the effective functioning of the working

group that the different types of schools in Herefordshire are fairly represented and the forum has previously determined that the working group should be broadly proportionate.

## Key considerations

### Membership of Schools Forum

3. The composition of the forum is reviewed annually to ensure that Local Authority maintained schools and academies are represented proportionately on the forum, based on the number of pupils registered in each category of school, and that the membership complies with regulations.
4. Herefordshire schools forum is composed of 26 seats allocated between schools members, academies members and non-school members. Schools and academies members together must number at least two-thirds of the total membership of the schools forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category. The membership of the forum is reviewed annually to ensure the allocation of seats remains proportionate.
5. Herefordshire allocates 19 seats between the schools and academies members. One seat each is allocated to mainstream special schools, academy special schools and the Pupil Referral Unit management committee. The 16 remaining seats are allocated to mainstream schools and academies, divided proportionally. The annual review has been carried out for 2024 and the results are set out below.
6. Regulations make no distinction between primary phase and secondary phase academies. Guidance states that Free Schools are to be classed as academies for the purpose of this exercise. The calculations of proportionality set out below are based on pupil numbers taken from the January 2024 school census and translate these proportions into numbers of seats on the forum, rounded as necessary.
7. Total pupil population in mainstream schools was 22,493 broken down as follows:

School category	Number of pupils	Proportion	Proposed number of seats (rounded)	Current number of seats
Maintained Primary	8,934	39.7%	6.36 (6)	7
Maintained Secondary	3,357	14.9%	2.39 (2)	2
Academies	10,202	45.4%	7.26 (7)	7
Total			15	16

8. Based on this assessment, it is proposed that a seat is removed from the allocation of seats for Maintained Primary Schools. After a drive for volunteers to fill vacancies on the forum in 2023 a vacancy still remains for a Maintained Primary headteacher and therefore there is evidence that there is not the uptake to fill the vacancies on the forum and it is recommended that the overall total number of seats for the Schools Forum could be reduced to 25.

### Membership of Budget Working Group

9. The Budget Working Group is a permanent advisory sub-group of the forum. Regulations prescribe how the forum itself is to be constituted but these provisions do not apply to the

composition of sub-groups. The composition of the Budget Working Group is therefore a matter for the forum itself. It is open to the forum to agree to disregard proportionality for the working group, amend the number of seats or set minimum representation for particular groups

10. The forum agreed in October 2012 that the Budget Working Group would consist of 14 members. Two seats were allocated to early year's settings and one to special schools. The remaining 11 places available to primary schools, secondary schools and academies, were to be allocated on a broadly proportionate basis based on pupil numbers in each category. The forum also agreed that there should be a minimum of one maintained school representative from the secondary sector and one academy representative from the primary school sector.

11. Total pupil population in mainstream schools was 22,493 broken down as follows:

School category	Number of pupils	Proportion	Proposed number of seats (rounded)	Current number of seats
Maintained Primary	8,934	39.7%	4.37 (4)	5
Maintained Secondary	3,357	14.9%	1.64 (2)	1
Academies	10,202	45.4%	4.99 (5)	5
Total			11	11

12. Based on this assessment, no changes are proposed to the allocation of seats for the schools groups on the forum at this time given the number of schools likely to be converting to Academies in the coming months. It is not recommended that a change is made at this time and proportions will be reviewed again next year.

## Community impact

13. The items considered and decisions made by the forum should have regard to what matters to schools and settings in Herefordshire and how the forum can best contribute to managing the current changing and challenging financial circumstances.

14. The constitution ensures that the membership of the schools forum continues to reflect the range of types of school and setting across Herefordshire and that all groups have the opportunity to shape the decisions of the forum.

15. The amendments to the constitution as a result of the new regulations ensure that the work of the forum can continue and that all interested parties are able to observe the meetings of the forum.

## Environmental Impact

16. Whilst this review will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the council's Environmental Policy.

## Equality duty

17. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

18. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. In relation to schools finance it is the responsibility of individual governing bodies to commit expenditure according to the individual pupil need. However the decisions of the schools forum should have regard to this duty and the potential implications of any decisions made.

## Resource implications

19. A budget of £20k has been allocated for administering the schools forum and associated activities for the 2024/25 financial year. This is funded from the dedicated schools grant received from central government and includes a modest budget for the commissioning of expert advice and reviews.

## Legal implications

- 20. The schools forum is established under section 47A of the School Standards and Framework Act 1998. The current regulations pertaining to the operation and management of schools forums are set out in The Schools Forums (England) Regulations 2012.
- 21. The Education & Skills Funding Agency (ESFA) sets out guidance on the operation of schools forums, with the most recent version published in March 2021. This document also gives examples of good practice which the ESFA have drawn from a number of schools forums and the Department for Education. It is not designed to be prescriptive except where it refers directly to the Schools Forum Regulations 2012.
- 22. The council must ensure that the schools forum for their area is constituted in accordance with the regulations and is responsible for determining the size and composition of the forum, and the members' terms of office.

## Risk management

23. There are no identified risks associated with approval of the recommendations contained in this report. If the membership of the forum and working group is not proportional, there is a risk some categories of schools could feel that they are not fairly represented and object to decisions taken by the forum.

## **Consultees**

24. None

## **Appendices**

None

## **Background papers**

None



**SCHOOLS FORUM WORK PROGRAMME 2024/25**

<b>18 October 2024</b>	
Appointments	To appoint a chairperson and vice-chairperson for the Forum. To appoint a chairperson for the Budget Working Group if required
Local and National Schools Funding Update	To seek the view of the forum on local and national school funding issues, including any recommendations of the budget working group.
Work programme 2024/25	To review the work programme and identify any additional items the forum wishes to consider.
<b>24 January 2025</b>	
Dedicated Schools Grant settlement	To receive a report on the DSG settlement and consider proposed schools budget 2025/26 (subject to DfE national formula).
Budget Working Group	To receive a report on the activities of the Budget Working Group not covered elsewhere on the agenda. (recurring item)
<b>14 March 2025</b>	
High needs budget proposals 2025/26	To consider proposals for the allocation of the high needs funding block for 2025/26 (subject to DfE national formula).
Budget Working Group	To receive a report on the activities of the Budget Working Group not covered elsewhere on the agenda. (recurring item)
<b>11 July 2025</b>	
Local and National Schools Funding Update	To receive any updates on funding arrangements.
Annual review of membership	To review the membership of the Schools Forum to ensure proportionality.
Dates of meetings and Work programme 2025/26	To approve dates for meetings and the work programme for the forum for 2025/26 academic year
Budget Working Group	To receive a report on the activities of the Budget Working Group not covered elsewhere on the agenda. (recurring item)

