

## EDUCATION SCRUTINY COMMITTEE

**MINUTES** of the meeting held on Wednesday, 9 September 2020 commencing at 10.30 am and finishing at 11.45 am.

**Present:**

**Voting Members:** Councillor Michael Waine – in the Chair  
Councillor John Howson (Deputy Chairman)  
Councillor Mrs Anda Fitzgerald-O'Connor  
Councillor Jeannette Matelot  
Councillor Gill Sanders  
Councillor Emma Turnbull  
Councillor Hilary Hibbert-Biles (in place of Councillor Ted Fenton)

**Other Members in Attendance:** Councillor Lorraine Lindsay-Gale

**By Invitation:** Mr Donald McEwan, Council of Oxfordshire Teachers' Organisation (COTO) and Mrs Carole Thomson, Oxfordshire Governors' Association.

**Officers:** Director of Finance, Lorna Baxter, Deputy Director Education, Hayley Good, Director of Children's Services, Kevin Gordon, Kim James, Graham Pirt, Robin Rogers, Khalid Ahmed and Sue Whitehead.

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.

### **19/20 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS** (Agenda No. 1)

An apology for absence was received from Councillor Ted Fenton (Councillor Hilary Hibbert-Biles).

### **20/20 MINUTES** (Agenda No. 3)

The Minutes of the Meeting held on 24 June 2020 were approved and signed as an accurate record of the Meeting, subject to the following amendments:

Minute 14/20, page 3, paragraph 3 substitute "one Education services" with "one Education service",

Minute 14/20, page 5, paragraph 3 substitute " ever bodies business" with "everybody's business".

Minute 16/20, page 9, paragraph 7 substitute “Ryan Academy” with “Orion Academy”.

Minute 16/20, page 9, paragraph 7, substitute “did escalate further up the schools” with “did not escalate further up the schools”.

### **Matters Arising:**

In relation to Matters Arising in the Minutes (Minute 6/20) and the Chairman’s request for a meeting with the Cabinet Member for Education & Cultural Services to discuss the government interactive tool information and average progress of pupils which impacted on the most deprived wards; this meeting had not taken place but was expected to take place before the substantive meeting.

In relation to Minute 14/20 on discussion on IT equipment for schools and that the Chairman had requested that officers provide information to the Committee on what IT had been awarded, Members were informed that a this had been answered in the form of a question at Council on 8 September 2020. It was requested that Members (including Donald McEwan and Carole Thomson) received the follow up reply which had been requested at the meeting.

In relation to Minute 16/20, page 8, reference was made to the question which was asked at Council on 8 September 2020, regarding BME exclusions and it was requested if the response could be circulated to Members of the Committee (including Donald McEwan and Carole Thomson).

## **21/20 CHANGES TO SEND HIGH NEEDS TOP UP FUNDING ARRANGEMENTS FOR 2020/21**

(Agenda No. 5)

The Chairman expressed his disappointment that the report for this item was only distributed to Members the evening before. In addition, the report expected had been for a Strategic Plan, not the report which had been prepared.

Mr Kevin Gordon, Director for Children’s Services commented that it was unacceptable that the papers had been distributed the night before and he explained that this was due to changes in the leadership team.

Reference was made to a decision which had been made by the Schools Forum in 2019 which was the reason the new leadership team was bring this report before Members. He acknowledged that the report was not a wider Strategic report but that was because there was much more work to be carried out in relation to SEND. Detailed discussions were required with schools and parents and there were detailed work required on budgetary pressures.

Ms Hayley Good, Deputy Director of Education introduced the report which outlined the current method of SEND High Needs top-up funding within Early Years settings and mainstream Primary and Secondary schools in Oxfordshire.

The report also included details of how a one-off transfer of Dedicated Schools Grant could be used for an increase in top-up funding for 2020/21 which would help support schools to better meet the needs of pupils and students but highlighted that there would be an ongoing impact to the High Needs Block budget overspend from 2021/22 onwards if it were to be maintained.

In relation to Early Years, reference was made to a decision of the Schools Forum in November 2019, where approval was to the recommendation from Oxfordshire County Council (OCC) to transfer one-off funding of £370,000 for three and four year old providers from the 2018-19 Early Years Block DSG underspend. The use of Dedicated Schools Grant reserves for this purpose was agreed in the Council's budget for the academic year 2020/21 only.

Members were informed that there would be an ongoing impact to the High Needs Block budget overspend from 2021/22 onwards if it were maintained.

In relation to mainstream Primary and Secondary schools, in January 2020, after the National Funding Formula unit rates had been implemented in full for all schools, the Schools Forum had agreed the OCC recommendation to move the balance of the unallocated funding to the High Needs Block to allocate directly to Special Educational Needs & Disabilities (SEND) budgets in schools to specifically support High Needs students.

£1,300,000 was moved from the Schools Block of the Dedicated Schools Grant to the High Needs Block of the Dedicated Schools Grant to support a one-off, one-year only SEND top-up funding increase for mainstream Primary and Secondary schools. It was noted that there would be an ongoing impact to the High Needs Block budget from 2021/22 onwards if it were maintained.

Details of how top-up funding currently works was detailed in paragraph 6 of the report.

The Committee was informed that a one-off transfer of the unallocated £370,000 from the Early Years Block of the Dedicated Schools Grant to the High Needs Block would support a one-off funding increase to Early Years settings for 2020/21 only. There would be additional pressure on the High Needs Block budget from 2021/22 onwards for Early Years settings if the increase was maintained.

The one-off transfer of the unallocated £1,300,000 from the Schools Block of the Dedicated Schools Grant to the High Needs Block would support a one-off funding increase to mainstream Primary and Secondary schools for 2020/21 only. Again, there would be additional pressure on the High Needs Block budget from 2021/22 onwards for mainstream Primary and Secondary schools if the increase was maintained.

Members were informed that the cumulative deficit on the dedicated schools grant currently stood at £11m (31st March 2020) with the estimated in-year forecast deficit for High Needs also £11m, which would result in a cumulative deficit at March 2021 of £22m.

With no change in strategy and continuing growth in demand for support from High Needs, the in-year deficit was expected to be £15m for 2021-22. Reference was made to the DfE in July 2020, who announced additional High Needs DSG of £7.5m, which would reduce the in-year deficit but would result in a cumulative deficit of £29.5m by March 2022.

A continuation of the proposed one-off funding increases would add £1.67m to the forecast deficit in future years. The Council strategy was to support learners closer to home, so if the additional funding resulted in fewer children moving to more costly placements, the investment would begin to payback.

## **Discussion**

- A Member asked that when the report was submitted to Cabinet, that it clearly explained what financial and academic years were as these had different implications for maintained schools, academies etc.
- Carole Thomson referred to the Schools Forum in December 2016 agreeing to fund a High Needs review which the Government gave the Council £250,000 towards the review. This was then put aside because the Council received a poor Ofsted review. She understood that this report would be pushing this forward.
- Carole Thomson said there were key questions for schools such as how would the funding be calculated (secondary schools) as children were already at the school. Also the £1.3m for Primary and Secondary schools should be split separately. This information would be provided for Members.
- Carole Thomson asked that there be transparency on how the funding was allocated.
- The Director for Children's Services reported that it would be a top priority as soon as the Cabinet decision was made to send out funding details to schools. Work would take place before the Cabinet meeting to ensure decisions were sent out quickly as preparation work had started almost a year ago on this.
- Cllr Gill Sanders commented that the Council needed to look at placing children in placements in Oxfordshire as it was more costly to send children further afield. The Director of Children Services agreed with this strategy.
- Cllr Mrs Anda Fitzgerald-O'Connor asked what work was taking place with neighbouring local authorities. Mr Graham Pirt (CEF) reported that there was work taking place with neighbouring authorities and gave some details. This joint work brought costs down.
- Cllr Emma Turnbull commented that the Council needed powers to fix this problem and referred to paragraph 15 of the report which referred to the need for the Council to have a plan to manage its Dedicated Schools Grant deficit. She had expected that the report would be more strategic and asked that the process to create that plan should involve engaging with the Schools Forum and working with health. The Director of Children's Services replied that the system required significant funding. In terms of the deficit recovery plan, the Council required the right information and support. It was clear that any recovery plan had to be a jointly agreed plan, agreed by the Council, Schools Forum, parents and partners. Graham Pirt referred to the need not to just look at finance, but to go back to the grassroots, and look at the provision of SEND with the Schools Forum vital in the process.

- Cllr Hilary Hibbert-Biles referred to the need to get children early enough which would cost less. This was not happening at the moment from her experience, schools were reticent for starting the paperwork for Education, Health and Care Plans (EHCP) and asked that this brought up again at the Board.
- Carole Thomson commented that early intervention was important but that small schools had been hit by the national funding formula and we need to look at ways of supporting them.
- Cllr John Howson referred to the need for Health to identify the health needs from day one, with this early intervention reducing costs.

The Chairman asked that Education Scrutiny Committee be involved in the process going forward in terms of agreeing the strategy and that there should be a clear date to bring this forward.

The Director of Children’s Services undertook to bring back an outline timetable on developing the strategy to the next meeting of Education Scrutiny Committee, subject to clearance by Cabinet and the management team of the Council. This had been shared with Schools Forum. Work was taking place on agreeing the secondment of a Head Teacher to the Council to help implement this strategy.

The Committee discussed the report and supported the recommendations contained in the report and noted that this Committee would be involved during the formation of the strategy.

The Committee asked that schools be notified as soon as possible of the funding to be received.

..... in the Chair

Date of signing ..... 200