



f40 Executive Committee Meeting

Wednesday, 16 October 2019 at LGA Offices, Smith Square, Westminster

1. Attendances, apologies and changes to committee membership

Present: Cllr James McInnes (Chair); Karen Westcott (Secretary); Margaret Judd, (Dorset Council); Cllr Michael Appleyard (Bucks CC); Cllr Ivan Ould (Leics CC); Carole Thomson, (Oxfordshire Schools Forum); Emily Proffitt (Staffs Headteacher); Jackie Smith (CEO Brunel SEN MAT & Uplands Educational Trust); Steve Edmonds (NGA); Phil Haslett, (Glos CC); Cllr Alex Dale (Derbyshire CC); Andrew Minall (Hampshire CC).

Apologies: Layla Moran MP (Vice Chair); Bob Standley (East Sussex CC); Cllr Peter Downes (Cambs Schools Forum); Jon Pearsall (Regency High School Gov, Worcs); Nicole Meardon (Chester & Cheshire West); Gordon Jones (Suffolk CC). Julia Harnden (ASCL); Cllr Roger Gough (Kent CC); Joe Jeffries (Retford).

2. Minutes of the meeting held 17 July 2019

The minutes were **APPROVED** as a correct record of the meeting.

3. Matters to be noted

- Letter sent to new Secretary of State for Education Gavin Williamson – Noted
- Minutes of Collaboration meeting – 27 September 2019 – Noted
- Worth Less? headteachers' march planned for September was postponed – Noted
- f40 FMRT meeting planned for November 26, 2020 – Noted
- Government launches review of SEND – Noted

4. Government funding pledge / Collaboration Group's analysis

MJ outlined the Collaboration Group's analysis of the Government's education funding pledge, as developed by the NEU.

IO said the minutes of the Collaboration Group meeting in September seemed to show that the discussion was very teacher-focused, whereas f40 was much more Local Authority-focused.

MJ said this was because the Collaboration was made up of teacher and headteacher unions and organisations. She said they had voiced concerns that the recent Government announcement on teacher pay rises would swallow up much of the additional money promised in the funding pledge, leaving very little left for schools. They were concerned that this would look like 'bleating' for more money for themselves, when they had not requested the increases given.

5. Government consultation on Minimum Per Pupil Funding Level

MJ said she had responded to the Government's consultation on Minimum Per Pupil Funding Level (MPPFL) and said in her view the MPPFL should not be needed if all schools were funded properly through the National Funding Formula, based on the Basic Entitlement.

She said as the latest Government funding pledge was based on the MPPFL, that was designed to lift up those schools that had been historically underfunded for years, but, because of the way it was calculated, it meant that schools in less deprived areas would likely see a bigger increase in funding than those in deprived areas.

She said this was a step in the right direction for those schools and local authority areas who had been historically underfunded, but it would not totally redress the balance. She said it would likely take a number of years to level up funding between areas.

MJ said, going forward, she believed the DfE needed to get the balance right between the NFF and MPPFL, which for this year has swayed too far in the direction of supporting schools by MPPFL and away from the formula.

6. Government review of SEND

CT asked about the new Government review into SEND and how authorities and members contributed to it. MJ said both she and AM had been invited to attend a workshop about it.

AM said interim findings of the review were due to be released before Christmas with the full report expected around Easter of 2020.

JMcl suggested that f40 invite Tony McArdle, who is heading up the review into SEND, to meet with some members so they could share their experiences with him around High Needs funding, the structure of the system, and the rise in demand for SEND support.

KW to make contact with Tony McArdle to try to arrange a meeting before Christmas. A number of members said they would like to attend the meeting.

AM said at the moment the MPPFL meant there was no incentive for schools to be inclusive of pupils with SEND, in fact it created perverse incentives, where it made financial sense for schools to exclude pupils with SEND, which led to a range of issues for local authorities.

MJ said the system had to incentivise mainstream schools into providing education for SEND children.

EP said mainstream headteachers found it very difficult to provide what was required for children with special needs with the current system and funding.

PH said the system around High Needs funding needed to be changed and increased to enable schools to be more inclusive.

AM said schools felt EHCPs were the only way they could tap into extra funding for SEND, so applications were continuing to rise.

JS said it was not just schools who had no confidence in the current SEND system, parents, as well, felt their children's needs would not be met without EHCPs. She said she had seen

a significant increase in tribunals over the provision of SEND care – tribunals that were being won by parents.

She said her Multi Academy Trust (MAT), which solely catered for children with special needs, was full because mainstream schools were not incentivised to retain SEND pupils and they did not have the expertise to cater to their needs.

CT said there was not the money in SEND funding, but EP said it was not just about the money. She said there were more complex issues among SEND pupils now, which made it more difficult for mainstream schools to always provide the right level of care.

JMcl said what was required was a change to the whole structure of SEND funding because the current set-up was not working.

JS said she would like to enable all of the children in her MAT two days in mainstream education and three days in one of her SEND schools. She said: “We have to do it differently and we have to do it quickly or we will have a whole generation that are going to miss out on education.”

IO said he felt the Children and Families Act 2014 was very flawed. He said there were parents in Leicester who only wanted their children to go to an independent special school. He said parents were taking their children out of mainstream schools to home school them and the council didn’t have the resources to inspect them.

JMcl said there was an acceptance by Government that the system was flawed. This acceptance, he said, was a major step forward. He said Government realised that there needed to be major changes, however, he said there was unlikely to be new legislation, so it was about changing the system to give parents more confidence.

JS said every local authority believed that inclusion in mainstream education was the answer. She said a Statement used to be seen as a stigma, but an EHCP is seen as a prize.

PH said in Gloucestershire, they had had such an influx of EHCPs in the system, the local authority could not cope. He said there had to be a new way to fund special educational needs as EHCPs were currently seen as a route to funding.

He said schools were in such a bad state with funding, particularly around SEND, many felt the only solution was to permanently exclude pupils. He said it was wrong that too often support was only accessed after children had been excluded.

AD said in Derbyshire there was still a perception among parents that a SEND child who received GRIP funding (Graduated Response for Individual Pupil funding available in the county), was still not getting enough funding. He said parents still felt their child needed an EHCP, which exacerbated the issue.

JS said she believed moving SEND children in and out of schools actually worsened their disabilities or difficulties in some cases.

IO informed the group that a new pressure group had been launched, which focused on the lack of transport for SEND pupils between the ages of 16 and 18. Transport is provided to children up to age 16, and then again from 18 onwards, but none is provided in the interim. f40 members agreed it was an unfair situation.

7. Meeting with Department for Education on 16 October, 2019

JMcl said members of f40 had had a very positive meeting with the DfE. He said f40 had expressed their gratitude that education funding was being increased for the next three years, and that the need for fairness of funding was being acknowledged, with the first steps towards levelling up schools being taken.

He said he had explained to the DfE how f40 was eager to see a three-year rolling programme of funding for education introduced to enable schools to better plan their finances. They had agreed that long term certainty was beneficial to schools.

JMcl had explained f40's role in the Collaboration group, with the NEU, NAHT and ASCL, and that it was happy to work with the Collaboration group where f40's views aligned with theirs, such as on the figures around the amount of funding that was required in education. However, he said f40 was also keen to keep its independence.

He said f40's role was to have the challenging dialogue around education funding, and he said the DfE recognised that.

IO said he valued the meetings with the DfE and felt it was an important relationship to develop.

Issues discussed at the meeting included Early Years, School Block, High Needs, and overall DSG.

JMcl said the DfE had assured f40 that the additional money promised in the Government's three-year funding pledge had been fully confirmed by the Treasury. And the DfE had given assurance that funding for teachers' pay and pensions would continue going forward.

EP said schools were finding it more and more difficult to make their budgets stretch because all support services now had to be paid for, where in the past many were provided, and no additional money was being put into school budgets to pay for them.

JS said many schools believed they would be better off under the Government's new funding pledge, but for most the promise of additional money would only allow them to 'hold the line'.

JMcl said at the meeting, f40 members had explained in detail what the impact was of the current SEND funding system and that most councils were running large deficits in order to meet demand.

He said the DfE had acknowledged the current SEND system was not working as well as it needed to and change was required – hence the current SEND review. He said the DfE had acknowledged that different departments across Government, such as the DfE and the Department for Health and Social Care, needed to work closely together with regards to SEND.

AM said the DfE had also indicated that it was possible to change the amount paid by schools towards the cost of every SEND pupil – currently £6,000. This was being considered through the Department's recent Call for Evidence on high needs funding.

The DfE is also consulting on proposals that, going forward, would mean the Dedicated Schools Grant (DSG) and any SEND deficits and debts would be kept separate.

IO said he understood there was going to be a new education bill and that local authorities would be able to build their own new schools again. He said that would be welcomed

because the deficit with SEND budgets in Leicester could eventually bankrupt the council. He said other councils were probably the same.

PH said the DfE should implement changes around SEND and devise a recovery plan that enabled the numbers of EHCPs to fall and deficits to be paid off.

A full summary of the meeting will be circulated to f40 members separately.

8. f40 annual conference

KW updated members on the f40 fair funding education conference that is planned for Tuesday, March 10, 2020, starting at 11am and finishing at 4pm. An f40 executive meeting will then be held between 4pm and 5pm, with delegates from f40 member authorities invited to attend the meeting and join the executive.

KW said an f40 sub-committee met in September to discuss the conference, and they agreed that next year's conference should be interactive and encourage debate, allowing delegates and f40 members to ask questions of the speakers.

KW outlined the day and said it would be split into three sessions, with a number of speakers in each session, followed by a panel debate. F40 vice chairs, MPs Gary Streeter, Laura Smith and Layla Moran had been invited to speak.

A full programme is being confirmed and will be circulated to all f40 members soon. A save the date email has already been issued to all f40 members and MPs, including Cabinet Members, Education Directors, School Finance Officers and School Forums.

9. Membership and Financial Update

KW informed members that all 42 members had renewed their f40 membership and the group had a healthy bank balance.

10. Dates of future Executive Committee meetings

- 22 Jan 2020 – AGM – Noted
- 10 Mar 2020 – Noted
- 8 July 2020 – Noted
- 14 Oct 2020 – Noted

11. Any other business

JS informed the executive members that Lord Agnew was visiting one of her schools later in October and asked if members would like her to voice anything on behalf of f40.

It was agreed that JS explain the difficulties all local authorities were experiencing with regards to SEND, with the majority in deficits, as the demand for EHCPs and SEND support was far outweighing available funding.

It was agreed that more funding was needed, but that the structure of the system needed to be changed in order for the issues to be rectified.

12. Date of next meeting

Wednesday, January 22, 2020