



f40 Executive Committee Meeting

Tuesday, March 22, 2022 – in person at the LGA in Westminster, London

1. Attendances, apologies, and changes to committee membership

Present: Cllr James McInnes (Chair, Dep Leader at Devon CC); Emily Proffitt (Staffs primary headteacher and Dep Chair); Karen Westcott (Secretary); Margaret Judd (Dorset Council); Andrew Minall (Hampshire CC); Jackie Smith (CEO Brunel SEN MAT & Uplands Educational Trust); Carole Thomson (Oxfordshire Schools Forum); Cllr Alex Dale (Derbyshire CC); Ed Francis (Worc SEND primary headteacher); Cllr Shellina Prendergast (Kent CC); Annette Perrington (Swindon BC); Cllr Victoria Aitken (East Riding); Steve Edmonds (NGA); Cllr Bryony Goodliffe (Cambs CC); Cllr Andrew Leadbetter (Devon CC);

Apologies: Cllr Bob Standley (East Sussex CC); Julia Harnden (ASCL); Deborah Myers (East Riding of Yorkshire Council); Phil Haslett (Glos CC); Cllr Ben Weeks (East Riding);

2. Introductions

3. Declarations of interest

4. Resignation from f40 by Chair Cllr James McInnes

- Appointment of new Chair and additional Deputy Chair

Chair Cllr James McInnes said he was standing down from f40. He said he had very much enjoyed being a part of the group, latterly as Chair, but he no longer felt he could give f40 the time and attention it required as he had a new portfolio at Devon County Council and was no longer responsible for Children and Education. Cllr Andrew Leadbetter, who is now Cabinet Member for Children in Devon, will represent the Council on the f40 Executive.

MJ presented JMcl with leaving gifts and thanked him for leading the group through the difficulties of Covid. She said his hard work and commitment had provided continuity and stability during the past three-and-a-half years, ensuring that f40 kept focus when schools needed the support the most. She said he would be a big miss to the group and members wished him well.

JMcl thanked members of the Executive for their support and tireless campaigning during his tenure, particularly during the pandemic when Executive members were forced to quickly adapt to working remotely and responding to Covid pressures in schools. He said it had been a busy time and members had continued to fight for fairer and sufficient funding for all pupils – issues that had been exacerbated by the lockdowns.

He wished everyone well with future campaigning.

JMcl proposed that AD take over the role of Chair, which was seconded by MJ. JMcl said he believed AD had the right mix of experience, knowledge and passion to drive the campaign forward. Members voted in favour of AD becoming Chair.

AD thanked JMcl and members of the Executive for their support, and said he was excited to be involved and to lead the group.

JMcl proposed that PH be appointed to the additional role of Deputy Chair, alongside Deputy Chair Emily Proffitt. The appointment was seconded by MJ. Members voted in favour of PH becoming the second Deputy Chair.

5. Minutes of the meeting held on 7 December 2021

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

6. Matters to be noted:

- **f40 webinar with the DfE – Jan 2022** - noted
- **f40 briefing document agreed for 2022** - noted

JMcl said the f40 webinar in January was well received and was attended by more than 90 members of f40.

KW said it had been suggested that a second webinar be held later in the year, perhaps to discuss the SEND Review and the future of SEND provision. Members agreed.

KW suggested f40 write to Education Secretary Nadhim Zahawi and Schools Minister Robin Walker, again inviting them to meet with f40 to discuss the need for fairer and increased education funding. Members agreed.

Action: KW to write to Education Secretary Nadhim Zahawi and Schools Minister Robin Walker inviting them to meet with f40.

Action: KW to explore further with members the possibility of f40 hosting a webinar focussing on SEND later this year.

CT asked if the Executive had made any progress on appointing a new Labour Vice Chair to the group.

KW said the group had twice approached Emma Hardy, Member of Parliament for Kingston upon Hull West and Hessle, without success. As a former teacher and previous member of the Education Select Committee, she would be a good fit for f40.

VA said Ms Hardy was an MP in her area. She said she would try to arrange a meeting with Ms Hardy to speak with her about the Vice Chair role.

Post meeting note: VA informed KW that during a meeting with East Riding of Yorkshire Council, Ms Hardy agreed to give the role some thought. AD and KW have agreed to meet with Ms Hardy to discuss the role of Vice Chair and what it entails. The meeting is scheduled for late April.

7. MPs' briefing on March 22, 2022, in the House of Commons

JMcl said the team was looking forward to the MPs' Briefing in the House of Commons that afternoon.

JMcl said the group had prepared a number of useful materials that could be circulated among MPs and could be used by the group going forward to share its messages on the need for fairer and increased funding, and its concerns around SEND provision.

KW circulated the materials to members. She said they would be provided to MPs who attended and would then be circulated on email to all MPs and members of f40.

AM said the materials formed an excellent handout that could be used throughout the year as part of f40's campaigning.

Post note meeting: The MPs' briefing was held as planned. However, a series of votes were held at the same time in the House of Commons, which resulted in fewer MPs attending than hoped. It has been agreed that f40 should hold a second MPs' briefing in the House later this summer, possibly in early July. An online briefing may also be held for Members of Parliament in the weeks or months ahead. More detail will follow.

Post note meeting: The materials have been circulated to all f40 members.

8. SEND Review / Need for meeting with DfE?

Members said the SEND Review Green Paper and the Schools White Paper were expected to be published by Government at any time. They agreed to meet again when they were released to discuss the detail and agree the f40 responses.

Members agreed that f40 should also try to arrange a meeting with the SEND funding team at the DfE to discuss the Review in the coming months.

Action: KW to write to Tony Foot at the DfE to ask if a meeting can be arranged with the appropriate members of the SEND team.

VA asked if she could have a copy of the f40 submission to the SEND Review, along with a copy of the f40 webinar from earlier this year.

Action: KW to circulate the f40 submission to the SEND Review and the f40 webinar materials.

Post meeting note: The SEND Review Green Paper and Schools White Paper were released at the end of March 2022. KW circulated the links to both to all f40 members.

Action: KW to arrange a meeting among the f40 Executive to discuss both papers and to discuss the f40 submission to the SEND Green Paper consultation.

AP said she had been following the judicial review involving Devon County Council, which was looking at the timing of annual reviews around EHCPs. She said the judicial review was specifically looking at how long local authorities should take to respond to EHCP reviews. She said the outcome could have huge implications for all councils. She said at the heart of the review was ensuring that local authorities responded in a timely manner, which, while vital, could prove challenging for those special schools and local authorities that had a lot of EHCPs to review each year.

AP said she would like to see national qualifications introduced for EHCP co-ordinators. She said they made a huge difference to an authority's ability to meet deadlines on EHCP reviews but said it could take two years for new members of staff to be sufficiently trained. She said if there were national qualifications, it would make the process more efficient.

VA said in East Riding of Yorkshire there were 3,000 EHCPs, so getting through reviews each year was a sizeable task.

AM said the impact of the judicial review on local authorities and their ability to review EHCPs within a new agreed timeframe would be something the f40 Finance Managers Research Team (FMRT) could look at.

AM informed new members that the FMRT was made up of local authority school finance managers who supported the Executive with research and data. He said the FMRT was able to provide specific expertise and insight around funding, carrying out surveys among member authorities to help inform f40 campaign activity.

He said the FMRT was proposing to carry out another survey on SEND provision, and the outcome of the judicial review could feature in that.

Action: AM and KW to set up a meeting of the FMRT in the next few weeks.

9. Webinar with DfE / Tony McArdle about SEND Review

AP asked if many f40 authorities were involved in the 'safety valve' discussions with the DfE around their deficit SEND budgets.

JMcl said if the issue of growing deficit SEND budgets was not dealt with soon, some local authorities could struggle with their sustainability going forward.

He suggested the FMRT talk to all local authorities about whether they were involved in the 'safety valve' discussions with the DfE.

Action: AM to take this suggestion to the FMRT group.

AP suggested it would be worth looking at The Tipping Point survey that the LGA commissioned in 2018 to see what impact it had had, and how things had progressed or changed since then.

Action: KW to circulate a copy of The Tipping Point survey to members, along with f40's SEND Review submission.

10. Meeting with Jon Andrews at the Education Policy Institute

KW updated members about the planned meeting between members of f40 and Jon Andrews, Head of Analysis and Director of School System and Performance, at the Education Policy Institute (EPI). The meeting had been arranged to update the EPI on f40's fairness and quantum concerns. It is being held on April 7.

Post meeting note: A very good meeting was held with Jon Andrews and EPI researcher Robbie Cruikshanks. KW will update members in due course.

11. Local Government Association (LGA) conference – Harrogate, June 28-30, 2022

KW informed members that the LGA was holding its first conference following the pandemic – this year in Harrogate at the end of June.

She said AD had voiced interest in f40 being involved in some way and was interested to hear suggestions and thoughts.

Members agreed it would be good to have a presence at the conference, either by taking an exhibition stand or holding a fringe meeting.

VA asked if f40 wanted to remain with its 42 members, or if it was eager to attract new members.

AD said f40 would always represent those authorities that received the lowest education funding, but it would welcome new members.

KW said she was awaiting more information from the LGA about what options were available and the costs.

Action: KW to obtain more information about the conference and update members.

Post meeting note: Prices and availability were received for the LGA conference, and members discussed the various options available. However, it was decided that perhaps the National Children and Adult Services Conference (NCAS), which is being held in Manchester from November 2 – 4, 2022, would be a better fit for f40. The group has secured an exhibition stand for the event and is exploring opportunities to be involved in any discussions

or fringe events about education and education funding. KW to update members at the next Executive Committee meeting.

Action: KW to approach some of the lowest funded authorities who are not f40 members to see if they would like to join.

AD said he would be interested to know what position the LGA was currently taking with regards education funding and SEND provision, and if it had any activities planned, besides the conference.

He said he would contact Cllr Antoinette Bramble, Chair of the LGA's Children and Young People's Board, to introduce himself as the new Chair of f40 and suggest a meeting.

Action: AD and KW to contact Cllr Antoinette Bramble, Chair of the LGA's Children and Young People's Board, to try to arrange a meeting.

12. Research into what fair education funding should look like

KW explained that during the preparation for the MPs' briefing, members were keen to showcase a graph that illustrated the difference in DSG per pupil funding between local authority areas. KW said the graph very clearly showed that f40 members, and some other authorities, received much less than many other areas across England.

KW said members had expressed a desire to draw a line on the graph to show how much funding schools should receive per pupil, which would be substantially higher than what many f40 areas received now.

JMcl said f40 did not want to take funding away from the higher funded authorities, but that it wanted to see the lower funded authorities raised up, so the gap between them was narrowed.

MJ said there would always be some authorities that received more, due to specific area living costs and deprivation etc, but she said the gap between the well-funded and poorer-funded areas should not be so great. Therefore, she said if a line was added to the graph to show what sufficient funding looked like, it would likely be a curved line, rather than a straight line.

MJ said agreeing where that line should be would be a substantial piece of work, which should not be rushed. It had to be right.

EP asked if a working party should be set up to discuss the level of funding required.

JS asked if it was sensible to draw a line on the graph when it could quickly be out of date due to the rise in inflation. She asked, therefore, if the line could be drawn on the graph to show how much per pupil funding should be, with an allowance added to it each year to meet additional inflationary costs.

MJ said perhaps it was time for f40 to look at the funding formula again to work out how much funding schools required in order to provide a good education that met the needs of all pupils.

She said she had asked the DfE for data last year to assist f40 to look at the funding formula, but nothing had materialised. MJ said she would ask again. She said she could perhaps also ask JH, of ASCL, to provide support.

EP suggested f40 collect case studies on a variety of different schools to showcase the issues many were facing with sufficiency of funding.

CT said Free School Meals (FSM) was a poor proxy for deciding how much SEND funding schools should receive. She said the DfE had agreed to look at other options besides the use of FSM as the proxy, but it was not being dealt with quickly enough.

AP said she agreed with JS – that inflation increases should be added to projected funding levels required by schools each year, which should be paid to schools regardless of which Administration was in power.

JS said she would rather have a smaller budget increase each year if it meant she was definitely going to get one, rather than not knowing whether a budget increase would materialise or not.

She said it was impossible to plan ahead when schools did not know what funding was coming down the line.

AM said the FMRT could look at what fair funding should look like. He suggested that it might be a good time for f40 to make contact with the Collaboration Group again. He said they had previously worked together well in the past on ascertaining required funding levels.

SE said the campaign for increased funding and fairer distribution had lost momentum during Covid and people were not talking about it as an issue right now.

He said 2019 was a watershed moment – when the Collaboration Group, including f40, had agreed that £12.6bn was needed for education up to 2025.

SE said people wrongly believed there had been a large settlement in 2019, so education funding had been settled. He said it was time they were reminded of what the current situation was.

He said the Collaboration Group needed to reset and the NGA would be happy to play a part and would support a rethink on the required funding levels. He said that momentum was needed once again.

SE said f40 had always led on the strategy around funding levels and was appreciated for its clear and unwavering approach to fairness and sufficiency. He said during the last 18 months he had appreciated f40's continued campaigning, despite the pandemic, which he had shared with other members of the NGA.

Action: KW to contact members of the Collaboration Group to suggest a meeting in the weeks ahead.

13. Financial update / Ratification of membership fees for 2022-23

KW reported that f40 had a healthy bank balance but said it had decreased during the pandemic as the annual subscription fee for members had been substantially reduced.

Members agreed that the annual subscription fee for 2022-23 should be increased from £500 to £750.

VA said local authorities needed someone to campaign for them around increased and fairer education funding, so it was worth the subscription fee.

Action: KW (DTW) to send annual subscription invoices to members in April.

14. Update on procurement of Secretariat role / DTW costs

JMcl said the retendering of the Secretariat role was still with the procurement team at Derbyshire County Council, which had administrative responsibility for f40.

Action: AD to speak with the procurement team to progress the retendering process for the Secretariat role.

KW said DTW's fees for the Secretariat support were being increased by 5% from April this year. She said they had not increased since 2017.

Members agreed to pay the increased fees.

Action: KW to send AD details of the increased costs and information around invoicing each month.

AP also asked for a list of f40 members to be circulated.

Action: KW to circulate the list of f40 members.

15. Any other business

VA said academisation remained an area of concern in East Riding of Yorkshire. She said 75% of schools in the county were maintained. She asked if the local authority could become an academy trust to help save the county's rural schools.

She feared if all schools were forced to join Multi Academy Trusts (MATs), small rural schools, which were vital to their communities, may not be sustainable.

Members said they believed the Schools White Paper would point to the academisation of all schools.

AM said academisation would not sit well with the National Funding Formula, which is designed to promote fairness of funding among schools, as MATs could decide how their budgets were split between their schools. He said that meant some schools in the MAT could receive far more funding than others.

JMcl said more than half of schools across the country were now academies and it was a polarising issue. He said there were so many different views, it would be difficult to get one agreed view from f40. He said rural schools would be impacted most profoundly by academisation and perhaps f40 should look at that as an issue on its own.

AM said local authorities needed to do more work to define and share the benefits of schools being maintained. He said they rarely promoted the benefits.

Post meeting note: The Schools White Paper has since been released, which states that all schools will be encouraged to join 'strong' Multi-Academy Trusts by 2030, with local authorities given powers to set up their own trusts. It also says that transparency measures for the way that Multi-Academy Trusts pool and top-slice budgets will be introduced.

16. Date of next meeting

KW said the next meeting would be held online on June 22, 2022.

Ends