



f40 Executive Committee Meeting

Tuesday, January 24, 2023 – in-person at the LGA in London, and via conference call

1. Attendances, apologies, and changes to committee membership

Present: Cllr Alex Dale (f40 Chair and Derbyshire CC); Emma Hardy MP (Vice Chair); Phil Haslett (Dep Chair and Glos CC); Emily Proffitt (Dep Chair and Staffs primary headteacher); Karen Westcott (Secretary); Margaret Judd (Dorset Council); Andrew Minall (Hampshire CC); Paul Davis (Brunel MAT & Uplands Educational Trust); Julia Harnden (ASCL); Carole Thomson (Oxfordshire Schools Forum); Ed Francis (Worc SEND primary headteacher); Cllr Victoria Aitken (East Riding Council); Cllr Bryony Goodliffe (Cambs CC); Cllr Fiona Baker (West Northants Council); Cllr Andrew Leadbetter (Devon CC); Dan Careless (Derbyshire CC); Clive Harris (LGA).

Apologies: Deborah Myers (East Riding Council); Annette Perrington (Swindon Council); Cllr Shellina Prendergast (Kent CC); Cllr Bob Standley (East Sussex CC); Scott Edwards (North Northants Council); Steve Edmonds (NGA); Cllr Prue Bray (Wokingham BC); Helen Watson (Wokingham BC); Laura Mayes (Wiltshire CC); Jackie Smith (Brunel MAT & Uplands Educational Trust).

AD welcomed members to the meeting and said it was good to meet in person again at the LGA in London, and online for those members unable to physically be there.

He said he was pleased to also welcome Clive Harris, an advisor to the Local Government Association, to the Executive Committee.

2. Minutes of the meeting held on 27 September 2022

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

3. Members update

AD said he was very pleased to welcome Wokingham Borough Council to the f40 group, taking the membership to 43 local authority members.

4. Matters to be noted:

- f40 letters to Prime Minister Rishi Sunak and Education Secretary Gillian Keegan – noted
- f40 letter to the SEND Review team and DfE – noted
- f40 attendance at NCAS conference – noted

KW said she had written to the SEND Review team and the SEND team at the DfE but, as of the meeting, had not received a response.

KW said she would contact them again.

Members said they could provide additional contacts at the DfE for KW to contact.

Post meeting note: These additional contacts have been forwarded to KW.

Action: KW to write to the SEND Review Team and DfE SEND team inviting them to meet with f40.

KW said she had also written to Education Secretary Gillian Keegan about the crisis in SEND and to request a meeting.

Post note meeting: The Education Secretary's office has since responded to f40 concerns around SEND, explaining that Government was taking measures and investing additional funds to tackle the issues. She said she valued f40's work but did not have time in her diary to meet with f40 at this time. She had, therefore, passed the invitation to Schools Minister Nick Gibb. We are awaiting a response from his office.

During the meeting, it was agreed that f40 should join with the County Council's Network (CCN), Local Government Association (LGA) and the Association of Directors of Children's Services (ADCS) to request a meeting. Each of the groups had agreed to write a joint letter to Education Ministers to request a meeting.

Action: KW to draft a joint letter and share it with the CCN, LGA, and ADCS for feedback.

AD updated members on f40's attendance at the National Children and Adult Services (NCAS) conference in Manchester in November. He said the group had had good discussions with a number of local authority representatives, including from councils not typically associated with the group.

As a result, KW had followed up with those authorities and Wokingham Borough Council has since joined the group.

AL asked if the NCAS conference had been good value for money.

AD said it was probably not something f40 would do every year, but it had enabled the group to talk to Directors and Cabinet Members for Children's Services about education funding, and to share our campaign objectives.

KW said the conference had enabled f40 to have valuable conversations with Directors and Cabinet Members, and the benefit would probably be seen over time.

PH said it would have been good if f40 had been successful in its bid to present a workshop at the conference, as hoped.

CH said the next NCAS conference would be in Bournemouth at the end of November 2023, and he suggested f40 apply again to present a workshop on education funding.

AD and KW agreed they were looking at more fringe events next time.

Action: KW to contact the NCAS organisers about f40 presenting a workshop this year.

5. f40's campaign focus for 2023

AD said f40 needed to think about its campaign objectives for 2023 and asked members for their input.

He said during the past year f40 had been focusing on fairness and quantum of education funding, and High Needs.

AD asked if f40 should continue on the same path.

CT said fairness of funding was still a huge issue for many local authorities, and it also played a part in how able local authorities were to provide SEND support. She said fairness of funding impacted on High Needs because it varied so much from one local authority to another.

CT said SEND funding continued to be unfair across the country as it was still calculated on proxy calculations and historic need. She believed f40 must continue to focus on fairness.

AM said one of the main issues was that baseline funding was not enough and therefore many schools felt they could not afford to support children with SEND. He said the SEND Green Paper was focusing on inclusivity in mainstream schools, but schools needed to be incentivised to take pupils with SEND.

AM asked when the Government would release its response to the SEND Green Paper consultation.

VA said she represented the East Riding of Yorkshire Council, which was largely rural and was on the boundary with Hull, yet she said they received completely different levels of education funding to Hull. She said there was no parity between the two.

She said she believed fairness of funding should continue as a key focus for f40, along with the crisis in SEND.

EF said he had been told the response to the Green Paper would be published soon, but he had not heard anything about when a SEND White Paper would be published, which could lead to the necessary policy change.

CH said he had heard the Green Paper response would be published by the beginning of March 2023.

JH agreed the distribution of funding should be included in the campaign but said its impact on a local authority's ability to support High Needs should also be a key feature.

PH believed fair distribution of funding should be the starting point for f40 as it was intrinsically linked to mainstream funding. He said if there was insufficient funding in some mainstream schools because of unfairness in distribution, it would impact on their ability to be inclusive.

PH said on the issue of quantum of funding, he welcomed the £2b additional funding for education announced in the Autumn Statement in November, but it still was not enough to bridge the gap. He said f40 needed to evidence why the £2b was not enough additional funding for schools, and f40 needed to draw out those case studies and share them with the DfE and Government.

CT said she would also like f40 to campaign for future pay settlements for teachers and school staff to be fully funded by Government, and not paid from existing school budgets. She said if they were not fully funded, many schools would be in dire straits.

AM said some schools were better off than others. He said he was seeing more and more infant schools struggling. He said they received a low baseline funding and were often supporting children with SEND – before they had been properly assessed and included in the SEND system. He said when the funding did finally come through to support a child with SEND, they had often moved on to junior school, so the infant school was not recompensed.

PH said the High Needs block funding in Gloucestershire was £27m less than a neighbouring authority, despite Gloucestershire having a greater number of children with SEND. He said Gloucestershire was having to cut provision to ensure it could deliver provision to pupils, but even with those cuts the authority had a deficit SEND budget of £10m.

PH said current SEND funding was based on historic data that bore no resemblance to the situation in each local authority now.

AM said children in better off local authority areas had greater access to support and provision that children in poorer funded areas did not.

JH said f40 previously did an excellent piece of work looking at the cost of running a school and wondered if that research could be carried out again.

AM said f40 did plan to update that piece of work. He said the latest data had now been received from the DfE to enable a study to be carried out. JH offered assistance from the Association of Schools and Colleges, which AM thought would be helpful.

Action: AM and MJ to meet to discuss updating the briefing paper on actual costs for running a school.

JH said ASCL had concerns that when the direct National Funding Formula was in place, further issues around funding may appear. She said the system was not perfect and they had all agreed that the Minimum Per Pupil Funding Level was not working.

It was suggested that f40 continue to campaign for improvements to make the National Funding Formula fairer and more transparent.

PH said he believed the DfE was looking to keep some flexibility in the funding system.

He said Government had extended the statutory override for the Dedicated Schools Grant, meaning growing SEND deficits would be kept off local authority balances for a further three years. He said he feared Government was just kicking the issue further down the road, but the deficits were still growing and would need to be dealt with somehow, at some time, and therefore, should be acknowledged now.

DC said the SEND system needed policy change because without it, the deficit budgets would not be tackled sufficiently, even with the DfE's Safety Valve and Delivering Better Value support programmes for councils.

DC said under the current system, parents of children with SEND did not know where their youngsters fit into the system because it varied so widely from one authority to another, and expectation around levels of provision was unclear.

He said if the SEND system had bandings and clear deliverables around SEND provision, along with what reasonable support looked like, local authorities would be much more able to assure parents that the support they were offering was suitable and at the right level. He said the bandings would manage everyone's expectations.

AM said SEND did need more funding, but it was difficult at this stage to know how much funding was required. He said a whole system change was required.

DC said there was a lot of conversation around SEND, where children with the most complex needs were seen as driving the growth in costs and resources. However, he said it was the growth in the middle and lower levels of SEND that he believed was causing the issues.

MJ said the workload for schools had increased enormously since 2010 and they were now expected to do far more than previously. She said this was why they required more funding and why their budgets were so severely stretched.

EP agreed and said many schools had seen a dramatic increase in workload.

AD said he was getting more and more feedback from nurseries that were struggling to cope financially and asked if other members were hearing similar things.

EP said, from a school's perspective, nursery funding was a huge issue, as was SEND. She said children were not being given additional support early enough, so they were coming into school nursery and Reception requiring extra provision and support. She said many children were not ready to start school and, as a result, schools struggled to cope.

EP said nursery school funding was inadequate and had not been given the focus necessary.

AM said inflationary pressures on nursery providers was a common factor.

AD said sufficiency of nursery places was also a problem.

AL asked if parents were struggling to get back into work because they were unable to find nursery places for their children.

MJ said nurseries were struggling with insufficient funding and were also struggling to fill vacancies. She said many providers were struggling to continue right now.

PH said nursery funding was raised in school forum regularly in Gloucestershire and he believed Early Years was the poorest funded area of education, with early intervention not easily available for nursery-age children who required extra support.

AM said pay, retention and recruitment were major issues for the education sector, including Early Years providers, and pay awards had led to additional inflationary pressures. He said providers were having to pay more and more in salaries in order to keep staff in post.

JH said nurseries and schools did not have the money to provide one-to-one extra support to children, but even if they did, they would probably find it difficult to recruit the staff.

JH said it would be useful for f40 to meet with other Early Years groups, such as the Early Years Alliance. KW to investigate.

AD agreed that Early Years and nursery funding should be included in the f40 campaign for 2023.

Action: KW to update the campaign plan to include fairness and quantum of funding, as well as the crisis in SEND, and nursery funding. KW to circulate the final briefing paper.

Action: KW to invite the Early Years Alliance to meet with f40.

6. Debate in the House of Commons or Westminster Hall on SEND – update

AD updated members and said David Davis MP had offered to put forward a proposal that a debate be held in the House of Commons on SEND.

KW was liaising with David Davis' office and was pulling together briefing notes on SEND with his constituency.

VA said a briefing paper had been completed, but additional details and evidence was being pulled together.

f40 Vice Chair Emma Hardy MP said she would be happy to discuss the debate with David Davis and to join with him in jointly sponsoring the debate.

AD said if the debate on SEND went ahead, f40 members should ensure their local MPs were in the chamber to contribute to the debate.

Action: KW and VA to provide David Davis' office with the full briefing paper.

Action: KW and VA to facilitate a meeting between the offices of David Davis MP and Emma Hardy MP.

Action: KW to encourage all f40 MPs to speak at the debate, and to encourage all members to ensure their local MPs are aware that it is taking place.

7. Request meeting with DfE/Tony McArdle about SEND Review – update

KW said she had written to the SEND Review Team and the DfE raising f40's concerns around the SEND Review Green Paper, inviting them to meet with f40 to discuss possible solutions. As of the Executive Committee meeting, there had been no response.

PH said the issue with SEND would not be dealt with unless legislation and policy was substantially changed, and unless more funding was made available. He said the SEND Review Green Paper highlighted what the issues were but did not offer solutions.

PH said local authorities were doing everything asked of them with regards SEND, but they still had deficit budgets.

MJ said she feared the Green Paper would only tinker around the edges of SEND and did not offer the fundamental change that was needed. She feared the scale of the issue was not being recognised.

PH said part of the problem was a lack of capital funding to enable local authorities to build more special schools and provide more places. While some funding had been provided, it was not enough to deal with the scale of need.

AL said Devon had been given capital funding to build three more special schools, but other areas had not. He said the distribution of funding had not been equal across the board.

DC said he believed part of the solution to the SEND crisis was giving parents the confidence that the local authority could provide the right level of SEND provision to their children. He said, for many parents, getting support or early intervention was a battle, so they lost faith in what local authorities could offer.

He said with clear bandings around what level of support should be provided, parents, schools and local authorities could easily understand the expectation, which would raise confidence in available local authority provision.

Action: KW to write to the DfE again

8. School survey – update

KW said at the last meeting, members had discussed organising a survey to gather evidence and statistics from schools around the core issues in education funding.

She said a meeting had been held between AM, MJ, and herself to discuss the best way to facilitate the survey.

AM said as Government had announced a further £2b funding for education in the Autumn Statement, it may be more beneficial to carry out the survey once schools had started to feel the impact of that. He said it might purely be a matter of timing.

CT said she did not think schools currently had enough information and thought the second half of the summer term would be the best time. Members agreed.

AM suggested f40 carry out a survey of local authorities first to gather higher level information around both mainstream and SEND funding issues, followed by a school survey later in the year.

AD said there were a huge number of schools within f40 areas, so the best way to manage the survey would have to be considered, along with how the information and evidence could best be used.

PH said he supported a school survey and believed it would have more impact. He said the survey would enable f40 to understand the current landscape in schools.

PH said he would be interested to know how maintained schools were coping financially, in comparison to academies, and how their surplus budgets compared.

CT said academies legally had to carry a surplus in their accounts – amounting to about three months' wages – but many feared their balances would be wiped out if the current financial pressures continued.

Action: KW to arrange a meeting for a small number of f40 members to discuss how the surveys should be progressed. It was agreed local authorities should be surveyed first, followed by schools.

9. f40 meeting with Clive Harris of the LGA

AD said f40 had had a useful meeting with Clive Harris, policy advisor at the Local Government Association, about the crisis in SEND and possible solutions. He said they had agreed to explore ways in which both organisations could work together more in the future.

AD invited CH to join the f40 Executive Committee and said the group would share its activities with the LGA.

AD said f40 had also had a good meeting with the County Councils Network (CCN) and each of their groups had similar concerns around SEND.

He said f40 and CCN were keen to invite Ministers and the DfE to meet with them and felt a joint approach may prove successful. CH agreed.

PH said it would be good to align any survey activity, too, to ensure each group was not surveying the same groups of people on similar issues. It was suggested that f40 also talk to the Association of School and College Leaders (ASCL) and the National Association of Head Teachers (NAHT) to discuss their latest survey activity.

AM said the Association of Directors of Children's Services (ADCS) would also be happy to be included in the joint approach.

Action: KW to write to Government Ministers and the SEND Review team and DfE to suggest a meeting with f40, the LGA, CCN and ADCS.

Action: KW to contact ASCL and NAHT about their survey activity.

10. Financial update – annual subscription from April 2023

KW said f40 had a healthy bank balance, but some thought needed to be given to the annual f40 subscription, which was due in April 2023.

She said in recent years, the subscription fee had been reduced, but inflationary pressures and increased campaign activity meant the annual subscription fee may need to be increased, at least back to its previous rates from before 2018.

The 2022-23 fee was £750 per authority, and 2021-22 it was £500. However, prior to 2018 it had been £1,000 per local authority.

The Executive considered the current commitments and potential action that will be needed for this year, particularly when a General Election is approaching, and considered that the standard annual subscription fee should therefore be at least £1,000 per authority. However, they said with the General Election approaching, additional campaigning and attendance at events would be required, so a slightly higher fee may need to be charged this year.

It was agreed a further meeting would be held to discuss the anticipated expenditure this year and to agree the new subscription fee for 2023-24.

Action: KW to arrange a further meeting on fees.

11. Re-tendering of Secretariat role

KW left the room while the issue of re-tendering the Secretariat role was discussed.

AD updated members and said the position would go out to tender in early spring.

12. Date of next committee meetings

KW said meeting dates had been agreed and invitations circulated to members, as follows:

- Thursday, April 6, from 9.30am to 11am – online meeting only
- Tuesday, July 11, from 1pm to 4pm – in-person at the LGA in London

AD suggested an MPs' briefing be held this year, either online or in-person in Westminster. It is to be further discussed at the next Executive Committee meeting in April.

13. Any other business

There was no other business.