



Minutes

Schools' Forum DSG Sub-Group

Notes of meeting on 7th June 2022 (DRAFT)

Attendees:

Elizabeth Fitzpatrick, Assistant Director for Education and Early Help (EF)
Richard Ellis, Assistant Director for Strategy, Commissioning and Transformation (RE)
Patricia Harvey, Principal Accountant, CSF (PH)
Andrew Good, CSF Financial Adviser (AG)
Frieda Perry, Headteacher, Hatfeild Primary School (FP) and Chair, Schools' Forum
Julia Waters, Headteacher, Ursuline School (JW)
Carla Chandler, Headteacher, Melrose School (CC)

Minutes:

Robyn Northcott, PA to Elizabeth Fitzpatrick (RN)

Item	Actions
1. DSG Closing 2021/22	
<p>PH provided key points:</p> <ul style="list-style-type: none"> In-year position is an overspend of £13.5m, with a cumulative deficit of £35.9m. There was a DfE contribution towards the Safety Valve of £11.6m which brought the overall position down. The forecast was a cumulative deficit of £38.5m - the additional deficit is mainly due to unexpected costs when invoices were submitted for out of borough placements in the last 2 months of the financial year. Every Local Authority that we have had informal contact with have reported that the overspend on the DSG was more than anticipated and the range was between £500k and £2m. Total income for this (22/23) year is £46m, with an additional £3m from the DfE if Safety Valve targets are met. <p>AG noted that Cabinet have not yet seen the DSG Closing report and there will be more detailed outturn shared with the Schools' Forum.</p> <p>JW shared that her School Business Manager puts all commitments on the system at the start of the financial year and queried what the council's processes are to prevent unexpected costs. RE acknowledged this challenge and had also queried this when he joined. RE noted the issue of other Local Authorities notifying us of changes and the need for better communication between Local</p>	

<p>Authorities. RE also suggested the possibility of soft closing halfway through the year to address issues early on.</p> <p>PH shared that there are over 100 local authorities with DSG deficits. The DfE have introduced a contact list which includes six Merton contacts which may improve communication with them.</p> <p>There was discussion around the difficulty of projecting how much an EHCP is going to cost and the difficulty of forecasting for the year. FP shared that she forecasts on a “worst case scenario” and queried if the Council work in this way. PH responded that all Local Authorities have their own banding system which makes it difficult to know how much provision will cost from borough to borough. There are regular monthly meetings with SENDIS and Finance in place going forward to address the issues.</p> <p>AG noted that most authorities also experience the same problem with Adult and Children’s Social Care placements - there tends to be a surge of invoices at year-end, despite monitoring being in place. Jacquie James (SENDIS Finance Manager) is a key link between SENDIS and Finance to ensure clarity.</p> <p>CC shared that there is a lot of new provision opening locally, particularly in Melbury. Melrose Primary will be providing provision for 25 pupils who previously attended out of borough schools; as well as the placement cost, this will also address the transport costs. The new Whatley Avenue campus will provide 110 places in the next few years which will keep children in borough and out of independent provision.</p> <p>CC noted that there has been a shift within SENDIS, and CC has been pushed to create provision to keep pupils in borough to ensure best value for money in the context of children's needs. There will always be a need for some NMMS placements for certain cases.</p>	
<p>2. Safety Valve Quarter 1 Reporting</p>	
<p>EF shared the draft of the Quarter 1 Safety Valve Monitoring Report and noted that there will be more communication with a wider group of Headteachers about this.</p> <p>Condition 1 -</p> <p>The “Ordinarily Available” offer is the provision that schools need to be putting in place for all children, whether they have an EHCP, receive SEN Support, or indeed prior to that point. It needs to be based on schools’ predictions of what needs they will need to meet within their population. JW queried what the criteria is for schools. EF confirmed that there is an internal group being led by Tom Connor who is working with SENCos to develop a draft document which will then be launched with schools. There has been a review of the documentation already in place, as well as a review of other Local Authorities’ “Ordinarily Available” documents.</p>	

JW noted that SENCOs are being consulted for this and suggested that Headteachers should also be consulted as they have a richer view of the school.

JW queried who is holding the Communication Strategy. EF confirmed that this is being developed initially by Education SLT.

EF noted the issue around SENIF funding for children in nursery - this funding is not available in Reception and schools are then required to use the notional £6k within school budgets. FP queried if the SENIF funding could be extended into Reception - in her experience, nursery funding extended in Reception has prevented a child needing an EHCP. EF said that there is a need to understand the parameters of how the SENIF funding can be used but there is no proposal to extend the funding into Reception at this point.

Budget pressures are significant for schools, with the additional impact of the pandemic and rising utilities costs. There has been an increase of 50% in the number of EHCPs for under 5s issued in the last year (increase from 24 to 36) [post meeting note: please note these numbers are different to those shared in the meeting]. The same level of increase is anticipated this year. There is a rise in the level of need amongst very young children; needs are manifesting in different ways in different age groups.

Condition 2 -

For services to support schools within the SEN Support offer to reduce escalation of needs and demand for EHCPs. This includes EPS, SALT, VBS, School Improvement and OT.

JW noted that there is no reference to the Equalities Act in this paper. EF responded that the template has been provided by the DfE and that each condition will relate to the Equalities Act as it is regarding children with SEND. JW asked that it be noted that this is the 5th time she has raised the question of the Equalities Act in relation to the DSG and has been told that this will be taken away and considered. JW asked if the Safety Valve is applying fairly to all children with protected characteristics, and some children have more than one protected characteristic. EF will consider how this can be incorporated into the report and noted that the DfE have not requested that the Equalities Act is referenced. JW will raise this with the Schools' Forum.

New inclusion profiles are being developed and it is hoped that this will be helpful to schools when thinking about the data associated with their schools and SEND.

Condition 3 - The development of professional networks

Work amongst Merton schools is strong, especially in comparison with other local areas. There are regular Headteachers meetings, a very well-attended SENCO Forum and a SENCO Working Group. The DfE are asking Merton to consider how the cluster working model can be extended.

Condition 4 - Sufficiency Strategy

The Whatley Avenue campus will be opening in September. There are also expansions of ARPs at West Wimbledon and Hatfield, and a new ARP at

Cranmer. There are also plans to open a new school in 2026/27 and the assurance of support from the DfE will be needed.
Savings made by placing children in local schools will be individually tracked.

Condition 5 - Collaboration and financial commitment from partner agencies
There is a need to work with Adult and Children's Social Care and Health partners to ensure we are receiving sufficient financial contributions to provision. Panels and processes are already tight and will continue to be tight to ensure maximum contribution is received from partners.

Condition 6 - Clear planning and decision making process for placements
It is felt that processes and management oversight is strong. When making a decision that a local placement is appropriate, this needs to be able to be communicated with parents.
Work is being done with other South-West London boroughs and South Thames College around their offer and being able to support more children locally.

Condition 7 – Oversight of contracting with NMISS
Wendy Edwards is in post and has been engaging with providers of commissioned places, with the intention to keep costs down for next year, as well as looking at quality and value for money of existing placements.

Condition 8 - Strengthening of annual review process
Processes are being put in place to strengthen the annual review process through increasing capacity in SENDIS to be able to attend annual reviews and ensure that strategic decisions are being made around if an EHCP is still required.

JW noted that the report says that the SEND Governance Board received the content on 14th June - EF noted that this is a draft and the report is being taken to the Board next week.

JW queried what the purpose of a Members' Scrutiny visit to a local school is. EF responded that oversight from locally elected members is important and they are interested in how the DSG deficit is being managed. The visit particularly focused on the "Ordinarily available" offer in schools.

JW noted the action to carry out a review of exclusion status. From a school perspective, a way to reduce exclusions would be through EHCPs.

JW noted that not all schools are being approached regarding opening an ARP.

JW asked if we will be in further deficit by the end of the financial year and if this will impact on school budget allocations for 2023/24. PH said that this is unknown at this point and Merton monitor the DSG monthly. EF clarified that there is no impact on the Schools' Block

JW noted that Wimbledon College lost funding for EHCPs this year. EF responded that this is a particular case relating to a "Merton only" factor in which

<p>schools with a higher proportion of EHCPs receive additional funding to support with this. There is no impact on funding for individual EHCPs.</p> <p>JW noted the risk of taking SENCoS out of schools in relation to the SEN Advisor posts. EF shared that there has been interest from some primary schools but the strategic role of SENCoS in secondary schools is greater and there may be a need to advertise this post externally.</p> <p>AG said that Safety Valve Programme intends to gradually decrease the in-year deficits; there will be an increase in the cumulative deficit next year, but the increase will be less as actions being taken turn the system around. The DfE funding will reduce an element of the historic deficit. With regards to the impact on school budgets, there will be pressure across the system, however mechanisms are being put in place to address the root cause. Some authorities have taken financial measures which Merton are not choosing to do.</p> <p>RE noted the significant risk of inflation but also highlighted actions that are within our control such as the £1.5m LA contribution and development of more in-borough provision. There are other authorities who started the Safety Valve programme a year ago and are struggling - the post-Covid impact is significant.</p> <p>FP highlighted the importance of communication, particularly in ensuring support of Headteachers and SENCoS. EF confirmed that discussions will be ongoing at Headteachers meetings, SENCo Forum and SENCo Working Group meetings. Consideration is also being given to a SEND newsletter. Sarah Momber will be supporting with the development of the Communication Strategy.</p>	
<p>3.Any Other Business</p>	
<p>None.</p>	