

**Note that these are draft minutes and have not yet been agreed by the High Needs Action Group for content or accuracy**

## High Needs Action Group Draft Minutes

Thursday 4<sup>th</sup> May 2023

### In Attendance:-

Yvonne Ely (YE) - Assistant Director for SEND – **Chair**  
Stephanie Lea (SL) - Executive Head Teacher, The Spa Trust (Co-Chair)  
Tim Gibson (TG) Interim Schools Finance Manager for Southwark  
Donna Munday (SM) Divisional Accountant – Education Services  
Sarah Redman (SB) Advisor for SEND for Southwark  
Kate Wooder (KW) Executive Head Teacher, The Bridges Federation  
Yomi Adewoye (YA) - Head Teacher for Sils  
Lydia Frankenburg (LF) Assistant head teacher at Crampton Primary School  
Ellie Prestage (EP) Head of Alfred Salter Primary School  
Nick Tildesley (NT) Co CEO Nexus Education Schools Trust  
Kelley Hawker (KH) Head Teacher Cherry Gardens  
Eniko Nolan (EN) Department of Finance Children and Adults Services  
Ian Morris (IM) independent consultant  
Yomi Adewoye (YA) Head Teacher for SILS  
Rachael Horner (RH) Commissioner Dedicated to SEND Council  
Lisa Noel (LN) Head Teacher for Beormund Primary School  
Levia Ostrov (LO) Ann Bernard Straight Nell Gwyn

**Apologies:-** Nina Dohel, Jenny Brennan, Kate Bingham,

**Minutes taken by:- Sharon Wilson – PA to Yvonne Ely**

### 1. Welcome and Introductions

YE welcomed the group and introductions were made.

### 2. Minutes of the March meeting

Minutes of meeting dated 29<sup>th</sup> March 2023 were recorded as accurate with the exception that Lisa Noel sent apologies.

### 3. Actions from the meeting

Actions were updated accordingly.

#### 4. Presentation and Discussion on the work carried out on special school top ups - Ian Morris

This report details the consultation with Southwark special schools and settings on the actions agreed regarding High Needs Block funding as part of the DSG management plan. Ian went through the report referencing the relevant parts of the discussion. For full information please see documentation enclosed in these minutes.



Item 4 Consultation  
with Special Schools s



Item 4 Additional  
Summary from Item 8

##### **Consultation with Special Schools/settings**

*Visits have been made to all maintained special and alternative provisions in Southwark. The purpose of the visits was to consult with schools/settings to:*

- *Clarify the position of the Local Authority in the light of the Budget Recovery plan/Safety Valve.*
- *Seek agreement from schools/settings on the way forward.*
- *Provide the opportunity for schools to contribute ideas and strategies to the process of deficit recovery.*
- *To listen to school/setting specific concerns*

Schools setting visited by Ian were all clear on what the position was regarding the safety valve and the budget recovery plan. There was also an acceptance in terms of the way forward and freezing top-ups.

Ian drew members attention to the 'one page' document circulated prior to the meeting (**Additional Summary from Item 8 Appendix B Schools Forum date: 12 January 2023**) making specific reference to some bullet points and said despite the fact that the special schools were in credit in most cases, it had to be looked at in context – i.e. coming out of the pandemic which was positive in most cases because supply staff hadn't been applied and not all children had been attending with an opportunity to consolidate balances in that time.

Ian reiterated the findings expressed in the report:

- **The freeze of the special schools' top-up rates (although not welcome) is not unreasonable**
- **The Local Authority should consider the commissioning arrangement of special school places** – Ian referred members to paragraph 3.3 of the second document circulated prior to the meeting (**Consultation with special schools/settings re. Future funding: 2022/23 to 2024/25**) that went out to

schools forum discussing 'Place Funding' This section highlighted current practices not being strategic and not based on long terms savings.

- **The smaller the special schools the less financially robust they are.**
- **There needs to be more consistency in the top-up rates across the sector**  
Ian drew members attention to the document circulated prior to the meeting (**Consultation with special schools/settings re. Future funding: 2022/23 to 2024/25**) referencing 3.4 'Consistent top-ups'

- **There needs to be more collaboration between the Local Authority and schools to meet the challenges of the future**

There is a feeling in schools that the process is not always transparent and as fair as it could be in terms of funding and authorities monitoring of funding and in terms of funding per pupils when children are admitted.

The discussion in the school forum raised common ways for schools and local authorities to move forward. They made suggestion and approaches of how this can be achieved.

Ian drew member's attention to the conclusion of the document and asked them to read through it.

- **Item 4 Conclusion – Ian drew member attention to this section of the document and asked them to read it.**

*Although the controls/restrictions on special schools/settings will present challenges this is as good a time as any to implement these actions as the balances of High Needs Block funded provisions are healthy at present.*

*Special provisions are crucial to deficit recovery as they will provide a cost-effective alternative to out-of-borough placements but this will only work well if there is a genuine partnership between the schools/settings and the local authority. It would be helpful to address the issues raised above as part of this process.*

*The funding of special provision needs to be adequate to meet needs and prompt enough so that all young people can be placed and schools/settings can provide flexibly and forward plan securely.*

*Working together to grow provision and reduce the high needs deficit should provide an excellent opportunity for the local authority in schools to work collaboratively and ensure that there is a common focus on sustainable local provision.*

#### **Comments**

SL – Confirmed that there were elements of this report that reflected Spa's experience of the consultation. However raised the point (that has also been

communicated to the Schools Forum at the time) that the statement “Freezing the Top-up rates were not unreasonable” is not a widely held view for special schools.

There is more clarity now but not at the outset of the consultation. Very much need to work with the local authority to find a way forward, however, each school needs to be considered individually as it is not a one size fits all.

TG referenced the commissioning process and the agreeing of place numbers and how Southwark have discussions with schools when asked to take in additional pupils. He asked whether they had any comments or suggestions on how to make improvements with the process.

IM- This was the single most raised issue where 7 out of 8 schools raised the issues about funding for pupils above authorisation numbers. Young People waiting for places are not necessary needing places when they agreed. When young people arrive, funding arrives 12 months later because the funding arrangements are top-up only first and makes it difficult for schools to make provisions in those circumstances.

KH- . Kelly sought clarification on the process of the top-up review moving forward and the criteria to be used so schools can start to plan. In reference to top-up review, what discussion would take place after one year?

IM- This was an area of confusion when visiting the schools. However, clarity is still required on what the process will look like. An annual review would be difficult because it will take time and should be meaningful. This will be very challenging for teachers given the constraints they are already under.

TG- Despite the decision taken to freeze top-ups, the government gave additional funding to LA and a requirement to increase funding by certain percentage. So although frozen, the increases have been passed on to the schools. The group should take a view of how frequently the top-ups rates are reviewed.

### **IM- Collaborative Approach**

An agreement should be made with schools as to when the next review should take place and what the mechanism should be.

SL- All special schools are expecting a review within a year, however from the information identified in the meeting, this is not necessary the case and some clarification is required and should include special schools.

TG- A time table should be reviewed and presented to this meeting.

**Action: A more detailed time table discussed and presented to the next meeting – TG.**

LN said she has come to the realisation that this was a consultation while at the time it felt more like an informal chat. Collectively, as special heads, it should be noted that we dispute the fact that the freeze on the top-up rates is not unreasonable.

Yomi- The strong feeling amongst special heads is that the freeze on the top-up rates are not reasonable. However, if the freeze is for one year, it will be very helpful for the finance team to present a time-line of when that discussion will take place.

Other members of the group added to the above comments referencing the level of reviews each year, when top-up rates are reviewed and the realism to carry out on a yearly basis. The safety valve programme does assume there will be a freezing of top-up rates for three years.

YE- Ian's report raised a number of issues and requires an in depth review of discrepancies in terms of primary and secondary top-up fees with similar provisions and a wider review may need to be conducted with a longer term? . There is also the freeze on all top-ups rates that are only getting inflation. The proposal is for further discussions to take place at the Schools Special Heads meeting and for an invitation extended to relevant members to attend to support the discussion.

Action: Special Head teachers to invite the correct people to attend the Schools Special Heads meeting to have a wider discussions. The next meeting is due to take place 16<sup>th</sup> May 2023

Action; A time slot has been allocated for TG to attend the Special Head Teachers meeting and YE will accompany him.

## **5. Current financial position – year end outturn and budget for 23/24 TG**

Tim shared a slide on the current financial position.

The amount of high needs income for the year was £62.479 million. There was an adjustment to the income late in the year to do with children moving in and out of the Borough, with a reduction of £150.000. Against the £62.479 million, there is a spend of £2.185 million more than the income. The pressure is driven by the increase numbers of children with EHCPs and the amount charged by external providers due to high inflation. Some costs are still deferred because there are still a number of children waiting to have EHCPs.

## **6. Safety Valve programme Update – KB.**

The time table for the monitoring will be the 16<sup>th</sup> June, 15<sup>th</sup> September, and 15<sup>th</sup> December. The template that is required to be provided to the DfE, is in line with the template shared at the March meeting. Details of monitoring will be presented to future meetings.

Action: The minutes from this meeting will feed into the Schools forum meeting in June –TG.

**7. Any Other Business**

This was Yvonne’s last meeting, she thanked everyone for their hard work and the wonderful experience shared with them. Step wished Yvonne well on behalf of the special schools.

**8. Date and time of next meeting**

The date and time of next meeting scheduled to take place 7<sup>th</sup> September 2023.

DRAFT