



Solihull Schools Forum

Minutes of Meeting

9:30am – 11:30am

Thursday 17th October 2024

SMBC Civic Suite Committee Room 1

Homer Rd, Solihull B91 9SE

Member Category	Member Name	Institution	Attendance (Y/N/ Apols)
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (4)	Lynn Clark	Marston Green Juniors (Northern)	Present
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (4)	Bernie Farkas	Blossomfield Infants (Synergy)	Present
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (4)	Richard Marshall	Oak Cottage (Evolve)	Present
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (4)	John McDermott	St Alphege Inf & Junior (Synergy)	Present
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (4)	Tim Baptiste	Oak Cottage (Evolve)	Present
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (4)	Paul Jackson	Castle Bromwich Junior School (Northern)	Absent
HEAD TEACHERS OF PRIMARY ACADEMIES (2)	Louise Minter	Streetsbrook I&EY Academy, (Synergy)	Present
HEAD TEACHERS OF PRIMARY ACADEMIES (2)	Holly Lynch	TGA Primary St James (Synergy)	Apologies
HEAD TEACHERS OF PRIMARY ACADEMIES (2)	Mark Pratt	Ulverley School (Mosaic)	Present
GOVERNORS OF PRIMARY ACADEMIES (2)	Antoinette Fisher	Dorridge Primary (Rurals)	Present
GOVERNORS OF PRIMARY ACADEMIES (2)	Lynda Mackay	Knowle CofE Primary (Rurals)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Claire Smith (P)	Tudor Grange (Synergy)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Charlotte Shadbolt (G)	Heart of England (Rurals)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Mark Firmstone	Light Hall Academy (Evolve)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Claire Eaton	Alderbrook	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Darren Gelder (P)	Grace Academy (Unity)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Stephen Steinhaus (P)	Solihull AP Academy	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Stuart Shelton (HT)	St Peters RC (Synergy)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Clare Thorpe (HT)	Langley Secondary (Evolve)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Andrew Best (G)	Smith's Wood Secondary Academy (Fairfax MAT)	Apologies
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Janice Hiorns (G)	Park Hall	Present

REPRESENTATIVE OF MAINTAINED SPECIALIST PROVISION (1) attend on rota basis	Andy Simms	Hazel Oak	Present
REPRESENTATIVE OF SPECIALIST ACADEMIES (1)	Nicola Redhead	The Heights	Absent
REPRESENTATIVE OF PUPIL REFERRAL UNITS (1)	VACANCY		
ELECTED MEMBERS OF THE COUNCIL (4)	Councillor Annette McKenzie (Conservative)	SMBC	Present
ELECTED MEMBERS OF THE COUNCIL (4)	Councillor Andrew Burrow (Conservative)	SMBC	Present
ELECTED MEMBERS OF THE COUNCIL (4)	Councillor Karen Grinsell (Conservative)	SMBC	Present
ELECTED MEMBERS OF THE COUNCIL (4)	Councillor Samantha Gethen (Conservative)	SMBC	Present
TRADE UNION REPRESENTATIVES (2)	Jane Davenport	NAHT / TU Rep	
TRADE UNION REPRESENTATIVES (2)	Gareth Eastham	NASUWT	Present
TRADE UNION REPRESENTATIVES (2)	Gary Woodhouse (Substitute Member)	GMB	Absent
REPRESENTATIVES OF EARLY YEARS PVI SECTOR (2)	Gina Godwin	Whitesmore Neighbourhood Nursery (Wise Owls)	Present
REPRESENTATIVES OF EARLY YEARS PVI SECTOR (2)	Lisa Whitehouse	Tender Years	Apologies
REPRESENTATIVES OF POST-16 COLLEGES (2)	Susan Homer / Lee Jamieson	Solihull College	Apologies Apologies
REPRESENTATIVES OF POST-16 COLLEGES (2)	Dr Martin Sullivan	Sixth Form College	Absent
OBSERVERS	Peter Davis	Diocesan Education Service (The Roman Catholic Archdiocese of Birmingham)	Apologies
OBSERVERS	Sarah Smith	Education for Birmingham, The Church of England	Apologies
ATTENDEE	Jacqueline Nicholls	Dickens Heath Primary	Present
ATTENDEE	Claire Morris	TMG Academy	Present
ATTENDEE	Sarah Hobden	Castle Bromwich Junior School	Present
ATTENDEE	Selina Timmins	Prosper Together MAT	Present
Officers (attend as required)			
Director of Public Health, Education & Inclusion	Ruth Tennant	SMBC	Present
Head of Commissioning for Learning	Bern Timings	SMBC	Present
Senior Accountant (Children's Services)	Verity Dixon	SMBC	Present
Head of SEND Strategy	Charlotte Jones	SMBC	Present
Interim Assistant Director of Children's Services	Kate Bradley	SMBC	Present
Clerk	Jo Heys	SMBC	Present

Item	Minute	Action
1.	Welcome and Apologies for Absence	
1.1.	The Chair Antoinette Fisher welcomed everyone to the meeting and thanked all for attending. Introductions were given for the benefit of the new members, invited attendees and additional LA officers present on this occasion.	
1.2.	Apologies were received from Andrew Best, Peter Davis, Holly Lynch, Sarah Smith, Susan Homer, Lee Jamieson and Lisa Whitehouse.	
2.	Minutes of previous meeting on 11th July 2024	
2.1.	The minutes from the previous meeting of Solihull Schools Forum which took place on Thursday 11 th July were approved as an accurate record.	
2.2.	AF explained that, while there was always a delay between Forum meetings, she had noticed that some actions were being missed. Please see Item 3 Matters Arising below for details of these.	
2.3.	AF requested that members write down their actions at each meeting and it was agreed that a Summary of Actions log would be included in future.	
2.4.	Summary of Actions log and draft minutes to be circulated once agreed by Chair and ADCS/Lead LA Officer.	All JH AF/RT/BT
3.	Matters Arising – from Forum 11th July 2024	
3.1.	AF explained that details of what the funding looks like had been requested several times and this had not been received. Inclusion costs, a breakdown of the costs for 16-25, the contribution from Health and other services – or the potential of what those contributions might look like / the costs currently in our budget that should be contributions from Health or other services. This is very relevant.	
3.2.	<i>4.5 Darren Gelder asked with regard to 16-25, if there had been any progress in trying to alleviate that financial pressure by looking at some of the other departments in the LA to contribute as they are not accessing schools and education beyond 16-25 but are accessing other services.</i> ACTION: RT/BT to investigate.	RT/BT
3.3.	<i>4.9 DG asked if it is possible to look at that as a breakdown of 16-25 as when the Task & Finish Group met with Steve Fenton, the 16-25 overspend is disproportionate and they are not educational services but we are being asked to meet those costs. Other LAs have had these difficult conversations.</i> ACTION: BT/VD to provide a breakdown on costs of 16-25.	BT/VD
3.4.	<i>5.13 DG asked if there is a clear breakdown of costs of the LA facilitating inclusion and SISS? We have a lot of facilitators, advisors and consultants but most headteachers know what they need. Not a very clear understanding of the LA cost with regard to those strands. It would be helpful to have clarity and also to see if that spend is having an impact within schools. It would be really helpful to have a clear breakdown as currently there is not clarity.</i> ACTION: BT/VD to provide breakdown of costs of Inclusion and SISS, cost of advisors and consultants.	BT/VD
3.5.		
3.6.	Regarding the issue of misinformation being provided to the work groups, AF explained she and Tim did discuss with LM and felt this issue had been resolved.	MF/AF/ JH

3.7.	It was suggested that Natasha Chamberlain to bring a report to a future FWG meeting on Travellers' Children. AF happy to discuss this report with MF further.	JH
3.8.	ACTION: MF/JH to invite Natasha Chamberlain to report to FWG on costs of travellers' children. KG suggested including an Action Log in minutes and stated we cannot have actions being missed. AF agreed. ACTION: JH to include Summary of Actions log with minutes.	JH
3.9.	AF said that draft minutes could be circulated sooner as when they are issued prior to the next meeting, the moment has passed. JH confirmed. ACTION: JH to circulate the draft minutes once agreed by Chair and Lead Officer. AF noted that Schools Forum is not included on a website and she and JH would discuss. ACTION: JH/AF to discuss further the plans in place for secure electronic access for Forum members.	AF/JH
4.	Chair & Vice-Chair membership update	
4.1.	AF said that was dealt with in the summer as resolved that she and DG will continue this year.	
4.2.	If anyone is interested in becoming Chair or Vice Chair for 2025-26, please advise. ACTION: To consider the role of Chair or Vice-Chair of Solihull Schools Forum from 2025-26 and contact AF/JH to discuss further.	All
5.	Welcome to new members	
5.1.	AF welcomed three new members of Forum: <ul style="list-style-type: none"> - Mark Firmstone, Chair of Finance Working Group and Operations Director at Light Hall School - Claire Eaton, Finance Manager at Alderbrook School - Janice Hiorns, Governor, Park Hall Academy 	
6.	Cabinet Member update – Councillor Karen Grinsell	
6.1.	Councillor Grinsell welcomed everyone back for the new academic year and sure all had very busy start to school year but hoped a restful summer. The summer was busy with Holiday Activities programme, which went really well and now opened the fourth Family Hub in Elmdon.	
6.2.	Particularly in the north, we are seeing the Family Hubs are very successful, especially in helping to support families with children with additional needs at an earlier stage, which is of course what we're all trying to do.	
6.3.	KG thanked all Forum members for this year's results. She sent a letter out to Heads and Governors to thank everyone for their hard work in ensuring high achievement levels again in EY and KS2 and another great crop of exam results for the older children. It was acknowledged that this is all down to the hard work and dedication of schools. Solihull is bucking the national trend and interestingly the boys are doing well.	
6.4.	The LA continues its improvement journey on safeguarding and child protection. Just undergone fifth OFSTED monitoring visit, focusing on the older children in care with very good initial feedback. Draft report will be issued in next few weeks.	
6.5.	In terms of finances, the Council is seeing its budgets extremely challenged and looking at £7m in-year deficit and over the medium term financial strategy that is rising to £20m. There are challenges everywhere, with	
6.6.		

<p>6.5.</p> <p>6.6.</p> <p>6.8.</p> <p>6.9.</p> <p>6.10.</p> <p>6.11.</p>	<p>every directorate in deficit. DSG and SBT will be discussed shortly. Intention is for us to all work together.</p> <p>The SEND side of education is very much on our LA agenda, the LGA agenda, other Councils' agenda and is also top priority when we've had meetings with health. They are also now recognising the situation.</p> <p>Whether we get a change in direction from new government we will wait and see but hopeful that we will. Whether we will see it this year or in future years, time will tell, but something will have to change.</p> <p>AF asked KG to clarify in terms of what KG was hopeful about from new Government - different funding arrangements?</p> <p>KG replied yes, while we don't know yet it is clear that the whole system, especially around SEND, needs to change but until that does we need to take the action that we need to take here and work together to find the solutions.</p> <p>AF commented that we can only react to that. She understood the funding for Free Schools may be cut and that would have an impact on the pathway.</p> <p>KG stated the Local Government Settlement is due to be issued very late in December but until that comes we have got to do everything we can to support our children.</p> <p>AF commented that clearly, from Councillor Grinsell's letter in the summer, the results show schools are doing everything they can for our local children with less money.</p>	
<p>7.</p> <p>7.1.</p> <p>7.2.</p> <p>7.3.</p> <p>7.4.</p> <p>7.5.</p> <p>7.6.</p> <p>7.7.</p> <p>7.8.</p>	<p>LA Update – Ruth Tennant, Director of Public Health, Education and Inclusion</p> <p>Ruth Tennant explained Councillor Grinsell had covered some of the points, such as the OFSTED monitoring visit. Generally busy within Children's Directorate at the moment.</p> <p>RT updated on SEND inspection: finalising all plans for this so there is a new set that has been issued. If you have not seen that, we can recirculate. Aware could happen at any time but believes it will be synchronised with other OFSTED visits.</p> <p>Key is to ensure we are ready and we have been doing some very good work on multi-agency case audits and are continuing to tighten up and identify the areas we think we are weak when it comes to inspection. Please be aware and if you do want any further information, Kate Bradley and Charlotte Jones (Head of SEND Strategy) are here today if anyone would like to know more after the meeting.</p> <p>ACTION: RT to recirculate latest plans for SEND inspection.</p> <p>RT thanked Forum as she, Beate Wagner (DCS) and Councillor Grinsell are undertaking a lot of school visits so huge thanks to all those who are showing us round as it is really incredibly helpful to go in and hear what the challenges are and what it feels like. If you would like us to come and see you, we are very happy to see you and thanks to those who have hosted us so far.</p> <p>ACTION: Please contact if you would like RT/BT/KG to visit.</p> <p>On Monday, had meeting with new HMI OFSTED Inspector. Routine visits to check in on all things to do with OFSTED. Good to talk through where we are at and some of the key issues in the borough.</p> <p>On SEND, RT explained KG has made the main points there. Also, we have been lobbying hard on our position, aware Solihull is underfunded as are a number of other areas and have been involved in a National Audit Office review that talked to a number of LAs about the position and that will be issued likely in November. Very clear that particularly the statutory override that affects the DSG is something that is very much on people's radar. Issue is that we don't have the solutions yet but important to note</p>	<p>RT</p> <p>All</p>

7.9.	<p>how much we are doing to emphasise that we really do need national solutions for these issues.</p> <p>In other SEND matters, and to update in relation to the minutes from previous meeting and points made. We had an Integrated Health Board session dedicated to SEND and considered some of the huge challenges. This included powerful presentations, some through a health lens, but including one from Solihull Parent Carer Voice case studies about what this means for those not in education and not getting the right support they need. Really good discussions about how very challenging those NHS waiting times are and also what needs to be done by the NHS and also what actually is the system's response to manage these.</p>	
7.10.	<p>RT said as Forum aware, exponential rise in families requesting autism diagnosis, which is not sustainable and even with additional funding going into NHS, not sustainable. It was really helpful to have the senior chief execs right across the NHS, many of whom will not be that close to SEND and Children's Services really hearing loud and clear what the current situation is. Also, some of the work that is being done locally that we've been doing with Education to start moving some of this on and very helpful discussion, which RT hopes indicates how much attention there is on this with the intention of practically moving some of these things on. RT assured Forum that this is being taken incredibly seriously across the system.</p>	
7.11.	<p>RT said the money will be discussed shortly but thanked all the Headteachers and Chairs of Governors involved in the discussions and who have inputted so far. Heads' Partnership last week and also meeting with Chairs of Governors. Also at one of the Collaboratives with Beate Wagner (DCS) and discussed it there. All of these are really very helpful discussions and we are absolutely listening as it is very useful to hear what the situation is.</p>	
7.12.	<p>RT thanked the Chairs and all those who have taken part in the T&F Groups.</p> <p>Regarding vacancy of Assistant Director of Children's Services, Education & Inclusion interim arrangements are that we are working quite fast on an interim position. Really key post and very important but it has to be someone who has the trust and confidence with headteachers and school leaders and key stakeholders. There would be direct headteacher involvement in the recruitment process and working at pace on that.</p> <p>AF explained that she understood that everyone was now aware that Tim was no longer in post. Noted Forum's thanks to Tim Browne for his contribution and commitment.</p>	
8.	<p>The Heights update</p> <p>c/f – 28th November 2024</p>	
9.	<p>2024/25 DSG/HNB Monitoring Statements – Verity Dixon</p>	
9.1.	<p>Verity Dixon explained that the monitoring statements report presented to FWG and brought to Forum will cover the position as at Period 4 for the HNB, which shows a forecast overspend of £6.8m. Those in finance positions may have noticed that the overspend in the report on the DSG Management Plan (Item 10) overspend is stated as £7.1m. Difference of £302k increase in HNB overspend, is accounted for by fact that DSG Management report includes overspend in September and October, since FWG report.</p>	
9.2.	<p>The majority of that is related to a deep dive we have undertaken on tribunals for children with EHCPs. VD thanked Bern Timings and his team</p>	
9.3.	<p>for their help with providing the data.</p>	

9.4.	<p>To give an indication of the financial risk around EHCP tribunals, VD explained if it were to be split into “LA preference” and “parental preference”:</p> <ul style="list-style-type: none"> - ongoing annual cost of parental preference = £2.5m - ongoing cost of LA preference would be £800k per annum <p>This was based on 41 known tribunals at end of August.</p>	
9.5.	<p>VD acknowledged that it is very difficult to predict which tribunals LA will win/lose. However, we win about 15% of tribunals so we have applied not an individual child-by-child forecast, but an assumption that we will win 15% and not win 85% and not win 85% and that gives an in-year pressure of just over £300k, which is the difference between the figure from the FWG paper and the figure in the DSG Management Plan (Item 1X).</p> <p>Fact that VD can inform Forum of these figures today is a result of the deep dive into tribunals and hopefully will build confidence after some of the points raised at last Forum. We are starting to look at things in more detail and look at the risks around things. Acknowledged it was very difficult to say what the tribunal outcomes will be, but she had given the figures of the full-year effect of parental choice and that would be equivalent to 6% extra pressure on HNB. £46m HNB and if parental choice was chosen at the tribunals we know about, that equates to £2.5m per year ongoing. That explains the movement between the July forecast and the September forecast.</p>	
9.6.	<p><u>Comments / questions</u></p>	
9.7.	<p>Darren Gelder asked about the slide that was presented by Tim Browne (at Headteachers’ Partnership) about the growth in EHCPs for 2023-24. This showed national growth of 11.4%; West Midlands 12.4% but actually Solihull is at 4.7%. DG presumed budgeting originally for 23/24 at what thought we’d be having, i.e. national of 11.4%, but in fact 23/24 growth for Solihull LA was at 4.7% so surely within there, there is a real-term saving within that period. It was alluded to that possibly there was a real-term saving of around £3m?</p>	
9.8.	<p>VD responded that DSG funding is the budget we receive but the DSG Management Plan is what we are monitoring against. The DSG</p>	
9.9.	<p>Management Plan last September as required by the DfE used the SCAP return for school place planning, provided by the DfE i.e. their methodology, and that methodology said it would rise by 1%.</p> <p>DG stated that Forum has been told that Solihull, year-on-year was above the national, above the regional, above statistical neighbours. Surely that would have come from some form of financial planning?</p>	
9.10.	<p>RT clarified that the elements of this are not forecast. Nobody predicted that coming, that was actuals. None of the modelling that was done by DfE or anybody else predicted there would be growth at that level. The answer is that it is therefore not there, within the budgets. As VD said, Solihull LA is based upon a formula set by the DfE and there is some element, certainly this year that we have built in what we are seeing in terms of local service demand and what we are seeing in terms of demographic, that all gets built into the DSG Management Plan (Item 11) so we have changed how we are doing it. She confirmed that unfortunately there is no more money in the budget than we were anticipating.</p>	
9.11.	<p>DG said that this is not what we’ve been told. Growth in EHCPs: 11.4% national, 12.4% WM and Solihull 4.7%. That is not the message that we have been given at previous Forums, which is that we are well above the national average, so we were well aware that that is where the money was going when we have had previous briefings and that there is this huge</p>	
9.12.	<p>demand on EHCPs and we have been told time and time again but what we see is that whilst national 11.4%, WM 12.4% but Solihull 4.7% so actually on that, with regard to efficiencies and the deep dives etc, actually</p>	
9.13.	<p>we are having less, possibly suggest less than budgeted for.</p>	

	<p>VD explained that the 4.7% growth rate is at January census. We are now predicting 7% this year compared to 1% growth rate in EHCPs, which was the DfE's required calculation.</p> <p>DG repeated that is not what we have been told. Stated figures: 11.4% national; 12.4% WM; 12.7% neighbours; Solihull 4.7%. Why are we being told continually that we are so far ahead with regards to EHCPs? AF concurred.</p>	
9.14.	RT explained that this was only looking at one year's growth and obviously we've had bigger growth in previous years so cumulatively we are high but there is a good news story there and RT really wanted to acknowledge that: that we are growing at a slower rate and also holding more children in schools with an EHCP What schools are doing is undoubtedly having an impact but at present, it is not enough to close the gap.	
9.15.	DG emphasised that Forum had been told EHCPs are above national and regional, that has been around this table and brought to this meeting many, many times but that is not the case.	
9.16.	VD responded that this was comparing the % growth rather than the total population and explained that for Solihull, the total population is larger than other LAs. The basic cohort that is continuing underneath that growth started from a larger point. Talking about the % growth over the last 18 months - 2 years.	
9.17.	AF noted that this is the impact we have made.	
9.18.	VD confirmed the impact we are making over the last 18months – 2 years is about having changed the way we are doing things but the basic cohort is continuing underneath.	
9.19.	DG stated that we need to be very careful about the language we use around this table when we start talking about things that are incredibly sensitive and it is a driver for cost-savings. When we hear we are doing far worse than anyone else.	
9.20.	AF, RT and others concurred.	
9.21.	DG explained that it comes across as a scare tactic and could appear to be misleading or pushing particular agendas. In reality, there is good news there if you consider the figures of 4.7% growth in 23/24 in comparison to others and obviously as part of the DBV agenda as well in reducing it, when in fact it seems we are doing pretty good at reducing EHCPs, if that is the right thing to do and he would question that.	
9.22.	AF added that it is particularly sensitive when schools are working tirelessly with absolutely nothing to work with so it is important to acknowledge the good news.	
9.23.	Cllr Gethen asked how much we know about the costs of those tribunals.	
9.24.	VD replied that in terms of cost of people attending and preparing for tribunals, not specifically but know we have a tribunal specialist working in the SEND team so that would be at least one post full time and obviously, officers attending, schools attending etc on top of that.	
9.25.	Cllr Samantha Gethen said it is quite a large cost then it if you have HTs taking time preparing paperwork and taking time to attend. Are you able to quantify that or provide any figures? What it means going to tribunal in terms of costs, for comparison and transparency.	
9.26.	VD answered that because it is a part of people's jobs it is not easy to monitor. So, while we could give a figure for the person who is specifically engaged as a specialist around tribunal cases within EHCP team, however for everyone else within the EHCP team it will be a proportion of their daily work. Preparing for each tribunal normally takes about 3 days within EHCP team, because we did a model that built how many people did we need based on the workload that we know about, so that is a statistic she can give you that it takes about 3 days just within the EHCP team, let alone within the wider education team for Solihull.	
9.27.	SG asked is it possible to obtain a figure of what it costs to go to tribunal, even if it is an estimated figure of costings?	
9.28.	BT replied that we could look at an estimate.	
9.29.		
9.30.		
9.31.		

<p>9.32.</p> <p>9.33.</p> <p>9.34.</p> <p>9.35.</p> <p>9.36.</p> <p>9.37.</p> <p>9.38.</p> <p>9.39.</p> <p>9.36.</p> <p>9.37.</p> <p>9.38.</p> <p>9.39.</p> <p>9.40.</p> <p>9.41.</p> <p>9.42.</p>	<p>AF clarified, are we wasting money going to tribunal, that is the intention? SG confirmed.</p> <p>VD explained that going with parental preference would cost £2.5m per annum; if LA preference was chosen at every tribunal, cost would be £800k per annum. Some of the reason we win 15%, which is better than the national average, is as a result with the engagement we have and support from our colleagues in schools and that is absolutely key to engage with the schools so that they can prove they can support that particular child to meet their needs. Not her role as a finance person to say whether that investment is correct or not.</p> <p>VD explained that should we choose to accept all of the parental preferences, we would have a £2.5m additional pressure over and above the £7m reported today. Also, that is only known tribunals, because should we say we will accept what you are asking, that opens the way for other children and parents to say we need something different, which could create an exponential pressure.</p> <p>SG acknowledged and said she still felt we should have an idea of the cost of what it means.</p> <p>AF agreed and commented that in the spirit of transparency it would be useful and would be most useful for this to go to FWG.</p> <p>ACTION: BT/VD to prepare a report into cost of tribunals for FWG/Forum.</p> <p>RT said on a point of principle, we all know that we don't want to be spending loads of money going to tribunal just like we don't want to be pouring money into EHCPs; they are important and part of the Code of Practice that we have to have these things in place but essentially what we are doing is funding a process rather than funding something that supports children. Somehow we have to move away from that. We need to recognise that this is a sub-optimal system and we are no different from any other part of the Council here.</p> <p>There isn't a ready-made solution that we could implement that would solve that problem. Yes, it is completely true that there are costs in the system that ideally we would rather not have in the system but until we really start shifting into earlier intervention and earlier support and we will discuss both in later items on the agenda, we won't fix this problem. Need to</p> <p>acknowledge where we are at and of course we will look at the resource going into all of these and of course we would want to move it out but we have to work within system we have got.</p> <p>This is part of a national discussion about how we reform the SEND system as it does not work in its current form. Do we need to acknowledge this is an issue but also that it is not within our gift to resolve it at the moment? Of course we want tribunals to run as effectively as possible and we are reviewing tribunal cases all the time, to make sure the right ones are going through because the outcomes have potential to really change the position. It is very dynamic process but there are limits to what we can do at a local level.</p> <p>AF commented that it is about unpicking and increasing parental confidence about what is being offered to them and she was very confident that that work is going on in schools all around the borough.</p> <p>Gina Godwin added that the point about reviewing those we have lost is very important too. Why are we losing the cases that we are; should they have gone to tribunal or not and are we reviewing that?</p> <p>RT explained that there are really tricky issues and we are all aware quite often we will need something around SALT or other health services that isn't in there and that can be a reason for losing at tribunal. That can often be a result of NHS waiting lists but we lose and we bear the costs of that. So this is why it has to be genuine system solutions for some of these to unpick the issues as not all of that will be within our control. Sometimes, this can bring costs for us so if we agree to a private assessment that</p>	<p>BT/VD</p>
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	brings costs for us. All signs of a system that is not working well, which goes back to why it is really important that we are getting all the right people round the table to agree how we start to fix some of these. AF agreed with RT's summary.	
9.43.	Stuart Shelton said that at Headteachers' Partnership meeting, it was reported that there were 94 tribunals - is that the £2.25m?	
9.44.	VD explained 41 is the £2.25m as September figures in October. There are 94 ongoing tribunals for special schools and added that there is a national squeeze on tribunal dates.	
9.45.	SShelton clarified that the cost of the LA preference if it won all tribunals would be £660k versus if LA lost all of them it would be £2.25m. VD confirmed that was correct for this financial year. SShelton said his concern was that, in trying to win those tribunals, what information and what pressure is the LA putting on schools and is the LA including things on EHCP plans that schools without specialist provision cannot implement? Are we putting things down on paper that we perhaps can't deliver?	
9.46.	Claire Smith suggested it would be very helpful to have a regular lessons learnt from the tribunals report from those present at the tribunals as she felt that headteachers are not given that information at the moment and presumably there are things that schools and the LA can do differently to try to win more than 15%. If we can work together that piece of work could be very valuable. Several Forum members agreed.	
9.47.	SShelton added that there might be things schools are already doing that could help us to win at others and that conversation would be very useful; likewise there may be things being included that we are not able to deliver. VD said we are winning more tribunals than the national average and that is mostly down to support from schools for the LA preference. Claire Thorpe commented that she had experienced tribunals and as a school, you do have involvement and input into that but it is all around the relationship with the LA in its willingness to support those tribunal cases and actually if a school has no faith that the LA will support you to support the child in school, then the school cannot support the LA case. It goes back to 'Am I going to be able to access suitable services locally to keep that child in school?' and if the answer is no because you have absolutely no faith in the system to support you in that, then I cannot support it. CT said her understanding was that if a school supports the tribunal case, it is very strongly likely to win but without the support of the LA, the school finds it very difficult to support the case, in my experience.	
9.48.	Mark Pratt echoed that it would be useful to spend some time learning what lessons can be taken. There could be an awful lot of saving and win more and could better support the kids and equally that money could be used a more productive way.	
9.49.	Bernie Farkas added she would echo exactly what CT said. As an infant school we tend to keep children until Yr 2 even if it is not the right place for that child. Quite recently we had a case where we agreed that the child needed special school placement, parents knew that was the case and went to visit a special school and all agreed that that special school was the right place for them. LA said no, child must go to the junior school. Child went to the junior school and in the first term of Year 3 parents took LA to tribunal and by end of Year 3 that child was in the special school that we all said that child should have been in in the first place. That is a complete and utter waste of money and if that is happening regularly, I would question the strategy that the LA is taking.	
9.50.	DG commented that average cost is between £2.5-4000 per tribunal. From a personal and professional side of it, he knows someone in the CPS and before they will take a case they have to be so certain of it. So of the ones that we have, we must know with the skillset we have, there are ones we are not going to win. Within that triage, we must know that there are ones we are not going to win. At £4000, ten of those is £40k; 20 of those £80k,	
9.51.		

<p>9.52.</p>	<p>these are big numbers. These are big figures and surely this person who is there CPS would agree. Are we 96% certain that we will win or have a valid case? There is a high percentage we will lose and we can count the pounds. Again, the bit that confuses me is that we as educationalists, headteachers are now advising on policies and processes and how some of the processes should be run operationally within the LA. It raises that question as LA must know within there, there are cases you are not going to win.</p>	
<p>9.51. 9.52.</p>	<p>CT agreed and added that the voice of the professional is not listened to at all. It feels very much that ultimately it is going to go to tribunal. Our experience as a school is that it feels like it is being kicked down the kerb to go to tribunal because that is cheaper because it is next year's costs. So there is a child in a school in the wrong place not getting the support they need because it's been kicked down the kerb and there are no tribunal dates until next year and professionals are not being listened to and that is the reality.</p>	
<p>9.53.</p>		
<p>9.54.</p>	<p>RT explained that at the moment, cases are reviewed weekly with legal input and clearly some of these are a balance of judgment and there clearly are some where you don't know which way it will go and that is where the tribunal does come in. There is process in place and it is very dynamic and where it is really obvious we will lose, those will be pulled. It may not be perfect and there may be things where we do need further dialogue and that is really important but there is process in place. We can look at how we optimise and have a discussion about how we do that. There is also something about the tribunal process as a lot of parents will be naming independent provision, often for-profit independent provision, which may be good but there have been some quality issues with provision and actually part of the tribunal process at some point is about getting some equity in the process. While we don't want to go to tribunal we need to recognise that parental choice may be something that is that sort of provision and ideally what we want to be doing in the longer term strategy is getting as much provision in-borough as we can, as we have been doing with putting in place The Heights but at the moment we don't have that. Some of this is about trying to get as much equity in the system as we can so although these are difficult issues, we are trying to improve the whole time.</p>	
<p>9.55.</p>		
<p>9.56.</p>		
<p>9.57.</p>	<p>Cllr Burrow commented that savings are only about £300k.</p>	
<p>9.58.</p>	<p>VD clarified that if we won all the cases it would cost us £660K. If LA lost all £2.5m. The difference is £1.8m.</p> <p>Cllr Burrow said, of which we would save £300k, by winning 15%. We are doing damage to kids in this process so he is concerned we are not hitting a 50% strike rate. Have we got a 50% chance of winning this case or not? The fact that we do better than other LAs is a bit like saying I have only lost one leg and one arm and others have lost both their legs and arms.</p> <p>Several Forum members agreed.</p> <p>VD explained that 21 out of the 41 analysed tribunal case are asking for independent schools and that is where the cost lies. If we choose not to fight we are more likely to increase pressures on the High Needs Block, which will cause pressures for independent schools, which RT had touched on and trying to keep children in mainstream schools and inclusion and increase special school places would be harmed by that as parents try to move towards independent schools. We just don't have the funding to fund every child with an EHCP in an independent school. The average cost of independent special school is £66k.</p>	
<p>9.59.</p>	<p>Cllr Burrow said so the argument is that we will make it painful and difficult for parents to stop others claiming; that is the strategy? As a Councillor, representing residents, that appears to be the strategy. It might be a valid strategy because we don't have the money.</p>	
<p>9.60.</p>	<p>CT said yes but children suffer as a consequence.</p> <p>Cllr Burrow added, but if Solihull goes bust, everybody is going to suffer. We are better off than a lot of other local authorities but we are burning</p>	

9.61.	through our reserves like there is no tomorrow. This is not easy but I would just like to know what the facts are on why we are doing what we are doing. Jaqueline Nicholls commented that she would like to make some connections and summarised the discussion: VD said that the cases that are won are won because of the support of schools. Then CT said that there is a lack of professional trust in what the schools are saying and what the school needs and then BF has given a case study of where the LA disagreed with the school professionals and parents and this was not an independent place outside the borough but a special school inside the borough. Therefore, my ask of someone who has the ability to do this is to go back to the decision making team and begin to unpick why are schools not being trusted professionally and not being listened to? Why can we not see that by putting the services to support schools to keep children in our borough; how is that not the right solution? We need to spend to save but we need to keep our money in the local authority. Who is going to pick up this piece of work, this scrutiny? We have been saying it year on year on year and I have reflected it in the Ark report here because the placement of children is not appropriate. There is something that is stopping us from doing that. We want to work with you. We are absolutely in the same business as you are Cllr about children and families but we are being limited in what we are able to do. I would absolutely request that that piece of work is done.	
9.62.		
9.63.		
9.64.	<p>VD commented that it was important to acknowledge that we are talking about 41 cases here but there are 2500 children with an EHCP. Yes every child is absolutely critical but it is a very low number out of the total population of children with EHCPs who are currently going through a tribunal.</p> <p>JN said what we are talking about here is professional trust. If we know schools are able to provide that evidence in a tribunal why aren't we supporting them?</p> <p>Gina Godwin said parents are given a choice about where they would like their child to go on the EHCP and we often support parents with that choice. Often that decision is impacted by when that EHCP goes in. I have four plans going in this half-term of children who have only just started in September and they are not going to survive in mainstream school. But they won't get a specialist place because they are all gone. Professionals including Area SENCO, myself, parents, other professionals have all said this child need specialist provision and will not survive in mainstream as it will not meet need but the EHCP came out as mainstream. These are now going to mediation. Already fighting and they will win.</p> <p>CT commented that this will be in next year's spend as parents will take it further and will win and the child suffers as a consequence.</p>	
9.65.		
9.66.	LM furthered the comments on professional trust and explained she was an observer at a recent scrutiny meeting. Two parents' stories were absolutely shocking and she could not believe that had happened in Solihull. Every headteacher in Solihull strives every single day to do our best for our children and want to make a difference to the lives of all our children and we do but it is becoming increasingly difficult because of lack of funding, resources, the support we can actually get into schools. That was the view of two parents and the school their child went to was not in that meeting so it was a very one-sided view. After the meeting it turned out that that family had been to tribunal and that school had said that the school could meet that child's needs. That then gives a completely different picture. A huge number of people around that table were shocked. If that is the view everyone is taking away, I understand perhaps why there is a lack in professional trust but there was no opportunity for that school or anybody to counterbalance that argument.	
9.67.		
9.68.	There was a super report for Solihull Parent Career Voice but the point that the headteachers wanted to make was that it was a very small percentage of that cohort who were not happy and probably schools would have	

<p>9.69.</p>	<p>backed that because we can only do what we can do. Again what came across was that the confidence in schools had gone down, there are increasing numbers of parents who were not happy with provision in school but that only equated to 7% of cohort which suggests that 93% were actually quite happy with what is going on in schools. Unfortunately, that did not come across particularly well.</p> <p>It feels from a head's point of view that we are doing everything we possibly can. The fact the results are absolutely amazing despite the fact, as Cllr Grinsell said, we have got no resource and that's not a good thing as it says to Government that they can keep reducing. We are not getting a broad and balanced view of what education is like in Solihull because it is being skewed somewhat. That might be a personal view but Lynn Clark and I were due to talk about it at JAND Board but it got cancelled and they were the points we were going to raise. It gave a very skewed view and the parents who spoke absolutely passionately and had clearly had an awful journey but there was no counterbalance.</p> <p>AF agreed and commented that she had dialled in to that meeting and was horrified and if you are a parent at the beginning of that journey that is not a good message to be receiving.</p>	
<p>9.70.</p>	<p>Cllr Burrow explained that he had chaired that meeting and had been involved in consumer surveys throughout his career. The real importance in that survey was the differences between schools. In terms of how good are we now at doing EHCPs, 89% said fully or partially meets the needs of my child. 11% said not meeting need. Four years ago the answer to that would have been firmly no, not meeting need. So then you have to look at the rest of the data and say, we have got the quality right on the EHCP, there are some issues on delivery and the report suggested that there are clearly some schools who are really good on this and to look at and learn some lessons from those. Not saying the other schools were poor. The</p>	
<p>9.71.</p>	<p>recommendations are important. The data is indicative; it is not fact.</p>	
<p>9.66.</p>	<p>There were only 250 odd people, if that is a random distribution, that is around ten times the number you need. You can predict election results on 1400 people for a voting population of 20 million. It is do-able. Nobody was criticising the schools. It was trying to say if you are going to spend some money, time and thought, these are the areas you ought to look at and that is what it said. I don't totally agree how it was presented but that is because I challenge everybody and I don't think the results are worse than last year. The bit that got the biggest bang was the disability team, which is an LA responsibility and two years' running and action is now being taken on that.</p>	
<p>9.67.</p>	<p>Lynn Clark said you have to contextualise the data. You cannot say that 46 or 48% of SEND parents have a decreasing confidence in schools. You cannot make that inflammatory statement on such a small percentage. It was the lack of contextualisation that has not helped and to take it not to one forum, but I have listened to it three times, with three different groups of people. That is the message. We do not put data out without contextualising it from schools. We would say this is data about 3 students so I can't say X about it. It is a very strong statement and actually it is critical; it is saying 46% of SEND parents have 'increasing concerns'. You can't use that kind of language. It is so alarming. It is about the vocabulary that is used about schools. At one point it should not have been taken to any more forums and actually the raw data should have been looked at again. All we want to know is what do we need to do to be better; what do we need to look at? But when that is out there and that is being told to schools from a body of parents on forums, that is a tough challenge for us while we have got a lack of professional trust. LC said she would have to disagree with Cllr Burrow.</p>	
<p>9.68.</p>	<p>Cllr Burrow said that this report was given to some senior people and there was a challenge about our ability to understand it. I understand what this data says because I'm experienced at reading it and I don't take it as read.</p>	

	<p>To me, there was a slight reduction in the reported satisfaction but to me that is actually irrelevant because it was too small a sample. If people are using this inappropriately outside then then that is different and we had better think about how we vindicate it in future. That is a different issue and it is an important issue and if parents go banging the schools on the heads with that that is unhelpful and I agree with that.</p> <p>AF thanked all for their comments as this was all relevant but not for this table and acknowledged that the point was made.</p> <p>Claire Smith said that the problem with the tribunals and the money is the private provision and profit-making provision and that is what is costing so much money. We feel as a group of headteachers that we are part of the solution. Just within our trust, TGA Trust in Worcestershire, we have opened a SEND provision with 45 places at one of our schools which has meant that parents, who have confidence in that provision, instead of going for independent places are going for these 45 places attached to a school at a quarter of the cost of any independent places. I do not see us doing enough of that in Solihull.</p> <p>That is where the solution lies and we need to do more of that, attached to our schools so that we can give parents a viable option that they are confident in that will avoid them trying to go to independent places that are costing so much money. It is working with schools just like ours in other areas and that is where the conversation needs to go.</p> <p>AF thanked CS and commented that was very helpful and something that we needed to pursue.</p>	
10.	Heads' Task & Finish Group – Bern Timings / Louise Minter / Jacqueline Nicholls / Claire Morris	
10.1.	Bern Timings explained the discussions around the table are very timely and fit in with everything we are discussing. The discussions and recommendations coming out of the Task & Finish Groups are informing our next steps, informing the DSG Management Plan and informing our strategic approach to how we move these things forward together, as what we have talked about today about lessons learnt from tribunals is a strand that needs to be picked up and looked at and incorporated. This is not just about cost savings but about service improvement. He stated it was important to have these conversations and thanked colleagues.	
10.2.	Louise Minter explained that this time last year we were having a very similar conversation around the potential Block Transfer and following that meeting, Tim got a group of headteachers around the table to start to talk about how we could make any impact in a positive way on the DSG.	
10.3.	After two initial meetings, three Task & Finish Groups were set up: one focusing on alternative provision because there is an awful lot of money we spend on AP; one on our ARPs; one on support services that schools engage with in its broadest sense but clearly focusing on ones that are funded through the DSG.	
10.4.	Remit of all of those three groups was to look at whether the current services that we are receiving in schools were effective; could we do things more efficiently; and were there any cost savings we could make?	
10.5.	LM explained that originally the Task & Finish Groups were due to run until December, however, they finished early at the end of September with reports submitted to Tim Browne and Charlotte Jones. Groups met 3-4 times, hugely valuable discussions were had and LM explained that the Chairs of each Group as well as Charlotte Jones were present today to take any questions and absolutely hear the views of heads. There was a very clear view that whatever the recommendations these would be listened to.	
10.6.	DG commented that in the Executive Summary, it is stated that the Task & Finish Groups were established to explore how costs to the DSG HNB could be further mitigated. He stated that that wasn't the original reason	

<p>10.7.</p> <p>10.8.</p> <p>10.9.</p> <p>10.10.</p> <p>10.11.</p> <p>10.11.</p> <p>10.12.</p> <p>10.13.</p> <p>10.14.</p>	<p>and reiterated that again the language used here is slightly misleading. The reason for the Task & Finish Groups was not to look at further mitigation and cost cutting but the one he was on was very much how can we do it better. If we were to look at a piece of work that possibly looked at how the DSG/HNB could be further mitigated, we could look at all of the services we have got, EPAS, what we have to deal with as a statutory requirement and then we have advisory requirements and as headteachers I am sure we could contribute to that in terms of which ones we need, which ones we don't need but again the language is slightly misleading that these groups were set up to be cost-cutting groups. They were not. The conversations he was involved in were about the young people, how can we make it better, how can we improve the service, is it as good as it can be because again the children and young people here are at the heart of every decision we make. He stated that passions are running high because we have faces and names of children and decisions we are going to have to make as we sit around this table. The purpose of this was not a cost-cutting exercise, it was to review the provisions we had, look at them, question them as professionals and come back here and say what can we do better, not to mitigate. Some of the outcomes may have led to that but that was not their sole purpose.</p> <p>CT concurred and said that that was clear from the original end date of December that they were not intended to feed into this discussion. They were all cut short.</p> <p>BT thanked DG and CT and apologised for any misunderstanding around the language used. He said it was important to acknowledge that these particular Task & Finish Groups affected this piece of work but we do need to establish more Task & Finish Groups as we go forward to address some of the systematic issues and, as DG has described, to look at some of the services and approaches. We very much want headteachers to be involved in that as we design how the system should work going forward. This is not the end of it but very much the start.</p> <p>JN explained that her understanding of what she was tasked to do was to review a particular area of service provision. We have a pot of money, how can we use that money better? Not how we can reduce it but how can we use it in a different way to improve what we already have in place?</p> <p>In summary of the Task & Finish Group on the ARP provision, schools like Tudor Grange, Greswold and Dickens Heath are creating spaces for children who would otherwise be out of education but they must not become waiting rooms as that is not appropriate and we have to think differently about alternative curriculums. I am glad to see that piece of work being picked up by the School Improvement team.</p> <p>JN continued that what Claire Smith has said is exactly reflected in this report around the ARPs. It says if we use some of that HNB money differently, so it is not being spent on other services but if we keep that money in our schools, not sending children to independent schools outside the borough but give us the money within schools because we can do more for the children and families that we know. Local families want to go to their local schools as part of the community.</p> <p>In essence that is actually what has been stated by the group of heads around the ARPs. Yes ARPs work but they have got to be the right children, which goes back to the point made earlier about placement of children and who actually are the decision-makers there and where is our voice as school leaders? Give us that money and we can do more.</p> <p>AF thanked JN. She acknowledged that we had discussed in great detail this morning but that emotions were raised because of the SBT question. Stephen Steinhaus explained he was invited to Forum to represent Alternative Provision but also as principal of Solihull APMAT. Considering point 2.2: "the recommendations will inform the formulation of the mitigations."</p>	
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10.15.	<p>Some of those mitigations have already been brought to us as a result of the Task & Finish Group and Claire and Louise were not presented with accurate information for a certain amount of time as alluded to and mentioned directly in this meeting on 11th July. They did not have the full picture on a number of things that are now a matter of record, naming my trust and naming my academy. As a member of that Task & Finish Group I have been very upfront about where we can help get better value for money for the places and the programmes that are commissioned with us. I have a real concern at how Saturn is discussed in that document specifically and both the mitigations suggested around Saturn and the actions that have been taken including, as Ruth Tennant mentioned earlier, an out-of-borough private for-profit provision as a viable replacement for what was a joint LA and Trust project.</p> <p>SSteinhaus explained he had real concerns that this is now a matter of record that has been brought to School Forum without the benefit of the Task & Finish Group being provided with accurate, up-to-date information both in terms of data, in terms of number and in terms of the strategic work that Kate, myself and other members of the LA and my Trust have been working towards. I have real concerns as that sets a precedent and I am thinking about the students in our care but also about the staff in our care and direct actions have been taken as a result of these discussions and those discussions have not been informed with all of the information and context. Now according to the report on AP, it does make it sound like somehow my trust and my academies have not been clear and transparent with that information and I take real issue with that. We are an open book and we will talk very plainly and I have had conversations with heads around this table about our costs, about our budget, commissioning, our numbers and our year groups. This is in no way an assignation of blame on Louise or Claire, because we have had these discussions. It is that there were a number of documents that were put through that Task & Finish Group that were clearly, patently and recognised as inaccurate and yet we are still making some of those decisions based on inaccurate information that was not corrected in that process.</p>	
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10.17.	<p>Of course I am fighting our corner as the largest AP commissioned trust in our borough but I am also saying that if we are making decisions we need to make sure that those discussions are informed with all of the information and all of the context before we start taking actions and actions have already been taken on the back of these reports, some of which are actions without the full story and the full detail. That is a very worrying trend given how high the stakes are for all of us around the table and how the eco-system feeds off and with and through each other.</p>	
10.18.	<p>Claire Morris responded that the purpose of the meeting initially was not about saving money, it was to review alternative provision. The first few meetings were messy and woolly at times because there wasn't transparency from the LA in relation to the finances involved, what was being paid, who was paying it, how it was being paid, even to the point of being billed by the Council for alternative provisions that schools are utilising. So this piece of work has to be seen as the first step and these recommendations have to be looked into in greater detail because there isn't a single head that does not want AP but we have to unpick what AP looks like going forward. She appreciated everything that Solihull Academy and Stephen have done so far but we are several years on now from when Solihull Academy was set up and that provision as I am sure Stephen would acknowledge has to grow and change, just like what schools need has grown and changed over time. This has to be the first part of whatever goes on and whatever goes next in order to get to a place where everyone has confidence in AP, in the support from the Council around AP, the steps to get into AP, because that has equally changed since the groups were set up and all of that has to be recognised.</p>	
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10.22.	RT commented that the funding schedule is on the Schools extranet and her understanding was that that schedule is freely available. It may require	
10.23.	a separate conversation on trying to pick up what we should have done as she was not quite clear on where all the data sits and is it something that needs to be pulled in from schools? Certainly the headline data is on the extranet.	
10.23.	LM explained that the data was received but one of the things that the Task & Finish Groups couldn't get to the bottom of was, as well as the costs articulated on the spreadsheets, the cost to schools who are also contributing from their budgets into AP. We still haven't got that part of the picture but we were only ever going to get so far.	
10.24.	Claire Smith added that the funding is different for every AP so Triple Crown is funded differently from Solihull Academy, which is different from other provisions. Five secondary school heads who sat around that table at the start did not know what was being paid for, how we were paying for it, where it was coming from and that is five people who know their budgets very well so there was a problem to start off with and there are some things that still need to be unpicked.	
10.25.	AF stated that there is still mileage in the T&F Groups or sub-groups. She asked Stephen Steinhaus whether that helped to mitigate his concerns in any way?	
10.26.	SSteinhaus replied that there are actions that have been taken by the LA on the back of that that we are now having to deal with in real terms. That is not at all a criticism or offence at the opinions of headteachers as they are our commissioners and our clients. His concern is that the reports are being taken forward and mitigating actions or alleged mitigating actions are being actioned and the full story and full clarity of information are not there.	
10.27.	It is a concerning precedent if this is just step one and yet there are significant steps being taken that will directly impact on staff and student experience.	
10.28.	Stuart Shelton said the problem was that the overall figure was presented but not that breakdown so when you give a global figure of say £7m, it was perceived that all of that £7m went to Solihull Academy. It does not all go to Solihull Academy and that is the frustration – some of that is going to provision outside the authority and that breakdown is important to be able to consider Tier 1, 2 and 3 support and where that money is going.	
10.29.	LM added that in terms of the tiers, Tier 3 in particular as all the money is going into that higher level support. Bernie Farkas and LM as infant heads emphasise the importance of early intervention because it would stop for the vast majority of children the escalation into really expensive provision and the same can be said for support services. That support needs to come in at an earlier point but we still seem to be in a system where a child has to fail before anything can be done.	
10.30.	SShelton added that we repeatedly asked for that information from the local authority and representation came from the LA in terms of people attended, they couldn't give us a clear answer. We asked multiple times. CMorris said we have got it now and Charlotte was able to provide and not saying it wasn't there but the reason we are not further on in the process is because that information wasn't readily available.	
10.31.	AF said that then gives this group or one like it legs to go forward but unfortunately there has been an impact and that needs to be unpicked. RT said thank you to everyone who has contributed in the Task & Finish Groups as it is the first time we have done something like this. It has resulted in some really useful suggestions. None of those have been agreed or turned into an implementable business plan and that is where we need to get to. We need something that is really clear where the LA needs to change some of its services and we know there are areas that need a review, need a restructure or be looked at. Who are the right people to get into a really focused Task & Finish Group to turn those into tangible	

	<p>business plans. Let's understand the costs and restructures and right governance structures and let's be really clear of the next steps and of what the engagement looks like and how do we use the Collaboratives to do some of that? We need to turbo-charge this and build on the work that is being done.</p> <p>CT said we all want that but in terms of the conversation with the DSG is that what we want to see is an implementation plan but how can we vote for something so vague and flimsy and we don't have any faith given the experiences we've had. We do want it but don't ask us to give you some money before you have shown us the goods. Ultimately we have no faith at the moment and what we need is an implementation plan.</p> <p>DG suggested if we want the breadth, we need to look at the number of Advisory teams and the breadth of it, that it is about cost as well as provision and the T&F Groups need to be much wider. This side of it needs to be wider than the three areas that we have picked up on.</p> <p>AF noted thanks to all those who worked on the Task & Finish Groups and to the Chairs, Louise Minter, Jacqueline Nicholls and Claire Morris.</p>	
11.	Draft DSG Management Plan – Bern Timings	
11.1.	Bern Timings explained this was the draft plan at the moment, working through what the mitigations are at the moment and there is a lot more strategic work to be done and along with that cost savings. It is not just about cost but also about how the system works and how we support children and schools.	
11.2.	Forum is asked to consider the draft DSG Management Plan as it stands.	
11.3.	To give an overview, last year we finished with deficit of £4.4m, cumulative deficit to date of £20.7m. As it stands, currently looking at an overspend by the end of this financial year of £7.2m, which will increase cumulative deficit to £27.9m. Without the mitigations we have already worked through and costed-up, we would be looking at a deficit next year of £14m and cumulative deficit of over £42.2m. With mitigations so far the deficit would be reduced from that to £10.4m in-year and that assumes a 3% uplift from central Government, based upon previous years as not received that figure yet. That does not include any impact of School Block Transfer.	
11.4.	Important to raise the point about floor funding received in Solihull. 3% is the minimum the DfE provides and that is what Solihull received in the last year. Other LAs receive 5% or 6% more. Verity Dixon has worked out that each percent equates to around £400,000 should we receive an increased percentage in our uplift. We are always starting from a position in which we are not getting as much money through our allocation as some other LAs do so we are struggling with that as well.	
11.5.	In terms of DSG Management Plan to date, already done lots of work through the DBV in last year's Management Plan. We have moved to decrease growth in the number of EHCPs and have worked out that it is at least 250 fewer children with EHCPs in the system but in SEND support and we thank schools for supporting that. That represents at least a £1.5m cost avoidance in EHCP cost terms.	
11.6.	We have looked at the recommendations that came out of the Task & Finish Groups, not all of those are about savings, a lot of it is around strategic work and how we work together as a system but some of the mitigations we have already got are included in the report.	
11.7.	Already implemented apportioning responsibility for EHCP costs to home local authorities for Solihull Looked After Children that live elsewhere, implementing existing guidance on funding which saves around £0.6m per year.	
11.8.	As discussed we are reviewing alternative provision and there is more work to be done on that, particularly around top-ups the LA provide at the moment. That saves around £100k per year.	
11.9.		
11.20.		
11.21.		

<p>11.22.</p>	<p>Also looking at reduction in exclusions, which is linked to the work around the Fair Access Protocol and making sure that is efficient. The de-commissioning of Saturn and the commissioning at Blackwater saves around £800k per year.</p> <p>BT acknowledged there are much more mitigation to be worked through and that while cost-savings are a result of that, it is more about the systems and support in place and having the right systems across the borough. Final DSG Management Plan will be brought to next Forum meeting for approval and must be submitted to the DfE in January.</p>	
<p>11.23.</p>	<p>We are currently working on last year's figures with 3% uplift but will know after Budget on 30th October what we will get so will update the plan then.</p>	
	<p><u>Comments / questions</u></p>	
<p>11.24.</p>	<p>CSmith asked about point 5.3.4 the decommissioning of Saturn waiting list places. Where are those children going to go?</p> <p>BT replied that that is not decommissioning for the children there at the moment, this is decommissioning going forward so we are working towards a point where we will not need the Saturn waiting list because Fair Access is working more efficiently, we are not blocking the system and children can do their 6 day exclusion and return to mainstream school. We do acknowledge that if Saturn does become full, there would be a need to source provision elsewhere for those children.</p>	
<p>11.25.</p>	<p>CSmith responded that when FAP works, they do come back to mainstream schools and we have all bought into that but they need some time so where will those children go? Is there a suggestion that there will not be as many permanent exclusions next year because those children need to go somewhere don't they?</p>	
<p>11.26.</p>	<p>BT replied it is about ensuring they are not getting stuck in Saturn but going back to school and that there were things still to be worked through</p> <p>CSmith said she is very concerned about that and headteachers' experiences of accepting children from permanent exclusion is that they've either been really positive when there has been really clear intervention from Saturn but that has taken some time because these children have needed input from often youth offending or whatever services but quite a lot needed to happen in a short amount of time. Where we've found it very difficult and we have some very challenging children that are being tried to be placed back by FAP and have some cases currently where it is not safe to place them back into mainstream education because of ongoing police investigations into serious crimes and similar things so I would be very worried about that without a clear plan. We need to know what that plan is.</p>	
<p>11.27.</p>	<p>We spend a lot of time and it is very emotional finding out about these children and that sometimes we have to say it is not appropriate to take that child following risk assessment and those conversations and that work takes a lot of time. These children absolutely need 6 day provision and we are talking about reducing the amount of 6 day provision.</p>	
<p>11.28.</p>	<p>BT confirmed as it stands at the moment.</p> <p>Kate Bradley confirmed Saturn and those places are still there and very much a need for them to have that 25hours of very high quality provision. There is no change to that, Saturn is available. What we want is that if children are still on the wait list so they aren't accessing the same 25 hr provision, and I am really grateful for Solihull Academy for doing that piece of work, but what we were getting into was Saturn being full, the wait list being full and the wait list children finishing their day 6 without having that provision. Blackwater is able to take children on the waiting list. It is really working across the system with providers to be able to meet children's needs. We have 20 places at Solihull Academy but we also have</p>	
<p>11.29.</p>	<p>Blackwater and it is not a more expensive option. Blackwater's team need to get used to work with secondary heads and the driving force is to ensure</p>	
<p>11.30.</p>		

11.31.	all our children have provision that meets there needs. The 20 places at Saturn are still there.	AF/SS
11.32.	CSmith said that was very helpful to understand but it did say decommissioning of places.	
11.33.	BT said decommissioning the existing set number of holding places. CSmith said the reality is those children are still going to be there and there are way more than 20 children. Around 70 children were permanently excluded last year and that is significantly more.	
11.34.	KB said we can spot purchase places at Blackwater when they are needed rather than block purchase. Clare Thorpe asked who quality assures? KB replied it is a mixture of a number of staff from EHCP team, Contracts Manager and Commissioner and there is a process that we are just about to publish it on the website. SSteinhaus commented that this is what he is talking about. We are talking about decommissioning top up that was agreed around this table as part of the 3 year commissioning deal, decommissioning the waiting list programme that was part of that deal so ending that contract early. We are talking about a Blackwater block placement that was for 12 weeks that has now run into autumn term. We are talking about an LA guarantee of a maximum placement at Saturn of 20 weeks and as Darren Gelder as a Trustee there is aware, that was the only guarantee we asked for. Because of some of those bed-blockers were negating some of the resource from the waiting list so the option was not to work together at that point but the option was to pay for another provider. I have real concerns about this whole issue.	
11.35.	AF acknowledged and said that this will be picked up outside of this meeting.	
11.36.	ACTION: AF / SSteinhaus to discuss further the issues raised.	
11.37.		
11.38.		
11.39.	DG said we are being asked to make an informed decision without costs, numbers, information etc. I would suggest that any disapplication be heavily challenged as to what that has been based on. There is so much more work to be done here. DG said have we been to other Council portfolio holders and said can you help us? Have we got the breakdown of 16-25? Taking wider Solihull papers, have we considered the energy costs as it was said gas and electricity would rise 200% and 500% and they didn't so what are the savings there? DG continued by suggesting that to save the problems all in one go, put Council Tax up and ring-fence it. Echoes of agreement from other Forum members.	
11.40.	RT reiterated that we are in middle of 3 year budget process. First year ever Solihull has an in year deficit across all services. Every single part of Council needs to make savings. What is tricky is that we are part-way through that process. Every single director has had to come up with every single saving across all service areas. Financial Sustainability Board will be presenting options in due course to politicians. All options are being considered. We are not there yet in terms of saying what all those options are but everything is on the table.	
11.41.	That is an open statement of where we are at as an authority. Core revenue budgets for education are running at £2m overspend that we need to manage within the directorate. Just trying to give headlines of where we are at and papers last year will present an extremely different position from this year. We are now working through in detail and it will go through a full and transparent public process from now until March. None of us wants to be in this position of where we are. DG said we don't know where we are. All evidence says early intervention is most impactful. We are being asked to make a decision without the numbers, the costs. The savings, costs and ingenuities our staff are	

	<p>coming up with, our own APs, we are very much at the sharp end but we have a better grip on our financial position that possibly you do.</p> <p>AF said that last year there was an anxiety about money being collected in and going into a black hole, which did not sit comfortably. This year, we are asking people to contribute to a plan but that is in its early stages and there is an appetite for this to work but need to know what that looks like.</p>	
12.	Schools Block Transfer – Bern Timings	
12.1.	<p>Bern Timings outlined the decisions proposed (detailed in Appendix 1) and explained the results of the consultation that ran between 1st – 14th October. Two options were presented:</p> <p>a. <i>“A 0.5% transfer from the DSG Schools Block to the High Needs Block for the 2025/26 DSG allocation to be used solely towards addressing the increasing demand and financial pressure on high needs provision - estimated £1,000,000”</i></p> <p>A total of 144 responses were received, 1 for and 143 against.</p> <p>b. <i>“A 0.5% transfer from the DSG Schools Block to the High Needs Block for the 2025/26 DSG allocation to be used towards addressing the increasing demand and financial pressure on high needs provision and also to be used to support our shared ambition for an early identification and support system - estimated £1,000,000 total”</i></p> <p>A total of 144 responses were received, 6 for and 138 against.</p>	
12.2.	Out of a total of 80 schools, 46 schools responded, with multiple responses from several schools. Just over 50% response rate.	
12.3.	BT explained that schools had been notified of the consultation via Headlines and the details of the proposal had been presented at SSSAB, Heads’ Partnership and the Local Governors’ Association. SPCV were also consulted and Appendix 2 provides their response.	
12.4.	Appendices 3 and 4 outline individual impacts on schools and methodology. Some schools are affected disproportionately as a result of the minimum funding level guarantee. Appendix 5 provides the statutory requirements of a movement from the Schools Block.	
12.5.	Charlotte Shadbolt said that it is too big an ask. Schools and Governors are being asked to put money aside when many schools have deficit budgets. Schools and governors have been tasked with ensuring we give best value. How can we know that we are giving best value when we don’t actually know where this funding will be spent or what the impact of it will be? That is the crux and I don’t think it is a no, never but there is no way you would ever commit this level of funding when you don’t know what it will be spent on and you don’t know the impact because that is not best value.	
12.6.	We were in the same position twelve months ago and as far as I can see we are actually no further forward and I think you need to get yourselves in gear so we actually have a proper plan that we can actually consider and vote on. At this moment in time, we have no idea.	
12.7.	Claire Smith stated she completely agreed with the point made by Charlotte Shadbolt in that we cannot support a transfer without a clear long-term strategic plan that addresses the issues that have led to this deficit. If we agree to this transfer without this plan it does feel like we are giving licence for things to continue as they are and perhaps suggests we are prepared to accept lower funding to supplement what has been a really inadequate system. We would expect a robust strategic plan, which includes a clear vision which addresses the root causes of how we have got to this point, realistic targeted outcomes and savings. The detail that we’ve been	
12.8.		

	<p>provided so far is vague. It does not include any clear outcomes and it appears to be avoiding any accountability unless there is a strategic plan somewhere that we have not seen. As schools, we absolutely accept we want to be part of the solution. We believe we are part of that solution and we are not part of the problem but I think that is sometimes the way it comes across.</p>	
12.9.	<p>DG made a comment that had come from colleagues, particularly in the north in relation to points 5.6 and 5.61 about the proportional side of it. We all get the national formula funding but what we also see is schools with high PP and deprivation, which seems perverse that we will take more from those who probably need more with more vulnerable students. Not for this but as we go forward I do think there is definitely a discussion around this and particularly around the equalities and I acknowledge you say you would look at an equalities assessment but we are saying that disproportionately the schools with the most vulnerable students and highest level of need would be adversely affected by the proposal in the methods proposed. Appreciate the national funding formula there are things we can and can't do but just wanted to raise that point.</p>	
12.10.		
12.11.	<p>AF commented that it is about making the unacceptable fairer. MF explained that one of big concerns at FWG was about the understanding of how much work is done in schools and that if the funding is reduced and taken into the LA, then the workload will go to the LA as well and that may be disproportionate to the additional funding that is received because of the early intervention done in school. The other piece of context that was discussed at FWG was that this academic year, 2024-25, has seen the removal of Covid Recovery Premium and School-led Tuition Premium so schools are already receiving less funding for early intervention. The third thing that was discussed is that it is not a level playing field in terms of the recovery of the funding. There are some schools and large multi-academy trusts that are not being affected and there needs to be an equitable formula before it can even be considered.</p>	
12.12.	<p>AF invited Forum members to vote on the proposals.</p> <p>A vote was taken on proposal A:</p> <p>a. <i>"A 0.5% transfer from the DSG Schools Block to the High Needs Block for the 2025/26 DSG allocation to be used solely towards addressing the increasing demand and financial pressure on high needs provision - estimated £1,000,000"</i></p>	
12.13.	<p>0 votes in favour. 19 votes against. (1 abstention from PVI Nursery representative).</p> <p>A vote was taken for option B:</p> <p>b. <i>"A 0.5% transfer from the DSG Schools Block to the High Needs Block for the 2025/26 DSG allocation to be used towards addressing the increasing demand and financial pressure on high needs provision and also to be used to support our shared ambition for an early identification and support system - estimated £1,000,000 total"</i></p>	
12.14.	<p>0 votes in favour. 19 votes against. (1 abstention from PVI Nursery).</p>	
12.15.	<p>AF commented that as Claire Smith said that if there were more meat on the bone, there is an appetite around the table to work together on that and that has always been the narrative. There are conversations to be had outside of this and those would be welcomed.</p>	
12.16.	<p>Cllr Grinsell explained the next steps. She will be expected to make a decision on this and there would be conversations outside and she would report back. From the conversations we have had today, the Task & Finish Groups need to change and how we look at is Forum working in the way you want it to?</p>	

	Cllr Grinsell said that we keep repeating and discussing the same things and there are various reasons why we have got to the decision we have got to but the process has been exactly the same but in terms of collaboration, it is about how that is actually working. Maybe we look at this whole process of how things are done. We have to have a Schools Forum but we need to make sure it is working for us.	
13.	School Funding 2025/26 – DfE Policy Update 03/10/24 – Bern Timings	
13.1.	BT explained that there are no changes to what was reported to FWG in that no announcements have been made but when they are made we will let you know. The delay is due to the general election. Reported at FWG, even with tight timescales, it was felt it could be achieved.	
14a.	Finance Working Group report – Mark Firmstone	
14a.1.	MF gave a brief summary. Two things he would endorse are that FWG was particularly interested in how our costs compare to other authorities in terms of the independent school placement spend as that information is not available but we need to know where we fit into the national picture.	
14a.2.	Also, under the DSG monitoring statements, it was minuted that Solihull's growth in EHCPs is half the national average so it was presented to FWG in that form as well.	
14a.3.	MF asked a question in terms of item 3.5 the DSG Management Plan, Solihull is receiving 3% of its allocation whereas other LAs receive up to 5 or 6%. Could we understand what the difference is? Because going back to the point made previously, we are fighting over a slice of the same pie. Is there anything we can do to increase the size of the pie, be it Council Tax, are we maximising the funding?	
14a.4.	Cllr Grinsell clarified that in relation to Council Tax, for any increase above 4.99%, a referendum would have to be held so the general public would have to vote on that.	
14a.5.	AF said can we do that then? Echoes of agreement from other Forum members.	
14a.6.		
14a.7.	Cllr Grinsell said that obviously there would be a cost involved in that. MF said that comes back to the transparency point in that the Council are approaching schools to take funds away from frontline services but we have got to look at that in the round.	
14a.8.	Cllr Grinsell added that it could not be used directly on the DSG anyway; it would be about how then it would be used to help the system. DG said it can go into other things that would support schools with additional costs. Northamptonshire do that and it does go into other areas but it does relieve pressure on the schools' budgets.	
14a.9.	Cllr Grinsell said 1% equates to about £1million.	
14a.10.	MF commented that that would be the million that was being looked at being recovered from schools.	
14a.11.	Cllr Grinsell said that that still doesn't cover the cumulative deficit and it still does not solve the problem.	
14a.12.		
14a.13.	Lynn Clark commented that you work out the problem while you have longevity in your plan and you look at the cumulative effect of that £1m and then you look at where you can make savings and you run them in parallel. You have to start somewhere.	
14a.14.	AF said our £1m was going to go towards solving some of the issues within schools.	
14a.15.	Cllr Burrow explained that the issue is that every single Directorate is facing the same issues so if this came out to vote in my area, they would say forget the schools, we need potholes or this done or that done. This is across the piece. Any Forum member is welcome to come to full Council, address Council and bring your proposal. Someone asked how two parents were able to come to Children's Scrutiny, that it is because	
14a.16.14a.17.		

	<p>anybody can come along and we don't stop them. We were due eight presentations. If someone wants to come along and put that proposal to Council, it would get them thinking about it.</p> <p>AF added that we were not naïve enough to think if Council Tax was raised that it would all go into Education but it could be spread across the gaps that are in the budgets now.</p> <p>Cllr Burrow said it would need 10% on top of 5%.</p> <p>AF said we are particularly low.</p>	
14b.	SSSAB report – Louise Minter	
14b.1.	LM explained that SSSAB discussed lots around the top-slice and also national elections and impact.	
14b.2.	Also discussed national and local elections and the impact on schools. Many schools have own childcare provisions on site in order to help keep budgets afloat yet we are forced to shut our schools and in order to safeguard children we end up shutting everything and therefore lose a substantial amount of money. Schools used to be given £88 to cover the whole day that we are closed and I think it may be around £250 but that is not the £2000 that was lost and other heads will have lost similar amounts of money so it was a question around whether schools have to be polling stations or are there alternatives?	
14b.3.	Cllr Grinsell said every year alternative sites are considered and	
14b.4.	acknowledged it also isn't helpful for parents.	
	LM agreed and explained that no-one wants an Inset day on a Thursday and it makes no educational sense whatsoever; the difficulty is that when you are closed on a Thursday, parents may then take children away on the Friday so then attendance goes down.	
14b.5.	Cllr Burrow said it is possible to shift it and polling station was moved from Berkswell school because Cllr Burrow found an alternative.	
14b.6.	Andy Simms commented that he tried to do that several years ago and was told to provide a list of alternatives but he did not know what would be suitable alternatives. Is that a headteacher's job?	
14b.7.	BF added that for a few years it was removed from Blossomfield and located in a scout hut instead but now it has reverted to the school. She would prefer it to be in the scout hut and not sure why it has reverted to school.	
14b.8.	AF said we are right to question if it is the school's role to find an alternative but if that is the solution then that is what we should do.	
14b.9.	ACTION: BT to find out further from Democratic Services department.	BT
15.	AOB	
15.1.	<p>AF said that date of next meeting is 28th November but there would be a conversation about whether this meeting would be necessary and thanked everyone for attending.</p> <p>Meeting ended 11.43am.</p>	