

MINUTES OF THE MEETING OF THE SCHOOLS FORUM HELD ON WEDNESDAY 9 DECEMBER 2015 AT CITY HALL, BRADFORD

Commenced 0810
Adjourned 1000
Reconvened 1015
Concluded 1135

PRESENT

School Members

Brent Fitzpatrick, Chris Quinn, David Harwood, Dianne Rowbotham, Dominic Wall, Dwayne Saxton, Ian Morrel, Kevin Holland, Maureen Cairns, Nick Weller, Nicky Kilvington, Nigel Cooper, Trevor Loft, Sue Haithwaite, Tahir Jamil and Sami Harz

Nominated Sub School Member

Irene Docherty

Non School Members

Donna Willoughby

Local Authority Officers

Andrew Redding	Business Advisor (Schools)
Dawn Haigh	Principal Finance Officer (Schools)
Judith Kirk	Interim Assistant Director, Education and School Improvement
Linda Mason	Interim Assistant Director, Access and Inclusion
Michael Jameson	Strategic Director, Children's Services
Raj Singh	Business Advisor
Sarah North	Principal Finance Officer (Schools)
Stuart McKinnon-Evans	Director of Finance

Observers

Adrian Cogill	National Association of Headteachers (NAHT)
Councillor Hinchcliffe	Portfolio Holder, Education, Skills and Culture
Councillor Mohammed	Executive Assistant to Education, Skills and Culture Portfolio
Louise Mollicone	14-19 Manager – Provisions for Young People, Bradford College
Lynn Murphy	Business Manager, Feversham College

Apologies

Bev George, Emma Ockerby, Gareth Dawkins, Phil Travis and Ray Tate

DOMINIC WALL IN THE CHAIR

116. DISCLOSURES OF INTEREST

There were no disclosures of interest in matters under consideration.

117. MINUTES OF 21 OCTOBER 2015 AND MATTERS ARISING

The Business Advisor (Schools) reported on all three items below.

(a) "Action" items:



- **Bradford Education Improvement Commissioning Board (Item 102 page 71):** The first 'questions and answers' response (responding to the NQTs question) is provided under agenda item 6, along with the minutes of the 12 November BEICB meeting. An email was sent around regarding BEICB representation and no responses were received. Therefore, Dianne is the Forum's representative and she attended the last BEICB meeting.
- **New to English Support Strategy (Item 103 page 73):** Further consideration is being given to sustainability and collaboration and updates will be provided. Following the application process 5 'Centres of Excellence' have now been identified. There is still a vacant centre opportunity and the Authority will be advertising this again. Each of the centres will be allocated an initial £20,000 start-up grant from the BEICB (from the Forum's Joint Improvement Investment Fund).
- **Education Performance (Item 104 page 74):** Work is taking place to develop an impact evaluation framework. Members will see from the minutes that impact assessment was a strong feature of the BEICB's discussion on 14 November.
- **The Local Authority's Financial Position and Budget Proposals (Item 105 page 75):** A more detailed presentation is included on the agenda of today's meeting.
- **Consultation Outcomes – Primary & Secondary Formulae (Item 106 page 76):** The Pro-forma was submitted and has been approved by the Education Funding Agency. The FFWG considered the feedback from the individual school on 30 November.
 - A paper on communication has been included in the meeting reports and we'll come back to discuss this at the end of matters arising
 - A possible approach to dealing with phase-specific academy voting has been developed, if this is ever needed. This would mean splitting the academy representation into phases on the basis of pupil numbers. There are currently 7 academy memberships, 1 of which is for the special school phase, with 24% of pupils in academies in the primary phase. So, of the 6 mainstream membership posts, if 24% of these are primary = 1.44 (rounded to 2 posts), leaving 4 for secondary. In voting, 2 votes would apply to primary and 4 votes for secondary.
- **Consultation Outcomes – Early Years Single Funding Formula (Item 107 page 77):** We can clarify that maintained schools can access the DSG's SEND budget for their 2 year old children. This resource is managed by the Early Years Inclusion Panel, now transferred to the Council's SEN Department. A letter will be sent out before Christmas to PVI providers warning of the move to monthly payments from April 2016.
- **Consultation – High Needs Block (Item 108 page 77):** This comes back onto the substantive agenda under item 11. The data on tracking the movement of children in the ranges model has been requested. The specific issue related to the place-led funding in the Further Education sector has been resolved.
- **DSG Schools and Early Years Central Items and De-Delegated Funds 2016/17 (Item 109 page 79):** The Working Group met with the BEICB on 12 November and a verbal update is provided under agenda item 12.
- **Schools Forum Administration 2015/16 Academic Year (Item 111 page 80):** Action is being taken to progress the agreed membership arrangements.
- **Outdoor Education Centres (Item 112 page 81):** This item is deferred to a future meeting.



(b) "Other matters" Arising:

- **Charging Maintained Schools (Community and Voluntary Controlled) for the cost of Admissions Appeals:** It was reported that the DfE has just completed a consultation (document included in the meeting reports) on including in the Scheme for Financing Schools the provision, which will allow local authorities to charge maintained community and voluntary controlled schools for the cost of administering appeals. Local authorities are currently permitted to charge academies, foundation; voluntary aided and trust schools where they deliver these services. This provision deals with an inconsistency between the Appeals Code and the Finance Regulations, which arose when the Finance Regulations were changed at April 2013. We await final confirmation from the DfE, following their consultation, that this provision has been added into the Scheme. Following this confirmation, we expect to begin a consultation with the Schools Forum and with schools on adding this to our Scheme. We expect to provide data within this consultation on likely impact (including the distribution of impact) of charging maintained community and voluntary controlled schools for the first time, understanding that this will be a new additional cost pressure on school budgets.

- **Measures to Improve Communication:** The Business Advisor (Schools) explained that, included in the reports, is a simple paper, which is written to help consideration of the ways in which communication can be improved between the Schools Forum and schools / academies (including the partnerships and governors). This follows from a discussion at the last meeting, which came from an appreciation of the low response rate to the funding consultations. In particular, Members were asked for their thoughts on possible options for improving member-driven communication. Members made the following comments and suggestions:
 - Whether a blog can be used as a way of regularly communicating useful information (perhaps as an alternative to formal newsletters).
 - The suggestions made at the last meeting of using Primary area leads and having standing Schools Forum agenda items at the meetings of the partnerships were good ones.
 - General newsletters can easily be left unread; more direct communication on specific issues directed at the right audience will be more effective. This includes direct letters, but also direct emails to Headteacher addresses.
 - The Forum should remember that communication must be wider than headteachers, including to governors and business managers.

The Chair asked that more information is presented so that the Forum can consider these suggestions further.

Resolved –

- (1) **That progress made on "Action" items and Matters Arising be noted.**
- (2) **That the minutes of the meeting held on 21 October 2015 be signed as a correct record.**

ACTION: *Interim City Solicitor*

118. **MATTERS RAISED BY SCHOOLS**

There were no matters raised by schools to report.



No resolution was passed on this item.

119. STANDING ITEM – DSG GROWTH FUND ALLOCATIONS

No new allocations were presented.

No resolution was passed on this item.

120. STANDING ITEM – BRADFORD EDUCATION IMPROVEMENT COMMISSIONING BOARD (BEICB)

The minutes of the Bradford Education Improvement Commissioning Board of 12 November 2015 were presented for information along with a written response to questions asked at the last Forum meeting on the NQTs strategy. The Interim Assistant Director, School Improvement, explained that an independent chair is now being sought for the BEICB, as it is felt that this will strengthen especially the challenge around the effective use of funds and impact assessment. The Chair reminded Members of the agreed facility for questions to be submitted on BEICB activities and for responses to be reported back to the Forum and he encouraged Members to use this. It was clarified that, although the BEICB minutes stated that these are 'confidential', this is applicable only in drafting and that these minutes are now in the public domain.

No resolution was passed on this item.

121. THE AUTUMN SPENDING REVIEW

The Business Advisor (Schools) gave a verbal presentation on the key aspects of the Autumn Spending Review, announced on 25 November.

- Funding for universal infant FSM is to be "maintained".
- Pupil Premium is to be "protected at current rates" for the rest of the Parliament.
- Average childcare funding rates are to be increased from 2017/18 alongside the extension to 30 hours for working parents and the introduction of an Early Years National Funding Formula.
- DSG national funding formula is to be introduced for 2017/18; covering Early Years, Schools and High Needs (so all aspects of DSG funding). There will be a period of transitional protection. Consultation is expected early 2016.
- The 16-19 base funding rate is protected "in cash terms", but other non-base rate funding is expected to be reduced e.g. deprivation funding in the Post 16 funding formula
- There is a focus on efficiency and procurement – the DfE is to provide detailed actions and guidance in 2016 to support schools to make savings, including using economies of scale
- The Education Services Grant is to be significantly reduced (by £600m nationally, which is a 75% reduction), alongside a review of statutory duties.

A Member asked about the extent to which procurement processes could be simplified, to save money, especially with reference to the rules around purchases above the EU Procurement Threshold. It was understood however, that this is standard framework that applies to all public sector purchasing and that it is very important that public funds are spent according to formal transparent processes.



The Director of Finance added that the Chancellor also announced a new 0.5% levy for apprenticeships for companies with an annual pay bill greater than £3m. The details of how this will operate, and whether public sector bodies are included, are still to be announced. If public sector bodies are included, then this will have budget implications for the Council and, linked to this, schools where their employees are employees of the Council. This will also then probably affect foundation, voluntary aided and trust schools and academies (and multi academy trusts as single employers across more than 1 institution) that have annual pay bills greater than £3m.

Resolved –

That the information provided on Autumn Spending Review be noted.

122. THE LOCAL AUTHORITY'S BUDGET CONSULTATION

The Strategic Director of Children's Services gave a PowerPoint presentation to Members of the Council's (Children's Services) budget position and the proposals for 2016/17 that are currently out for consultation across the District.

Following from the information provided to the Schools Forum in October, the presentation included an overview of the individual Children's Services proposals for savings being consulted on by the Executive and explanation of the proposed establishment of a virtual school for vulnerable children and the proposed extension of the sector-led delivery model to SEND specialist teaching services. The Strategic Director outlined the 4 key blocks of the proposals and key think behind proposals in each of these: SEN and Inclusion, Skills, Safeguarding and Social Care and Early Help, and improvement in education outcomes.

The Interim Assistant Director, School Improvement, explained that the proposed saving of £150,000 in each of the next 2 financial years will come from a re-evaluation of the Bradford Achievement Service and the further development of the sector-led improvement model. The Interim Assistant Director, Access and Inclusion, explained the basis of the proposals for the establishment of a single virtual school for vulnerable children; that there will be significant advantage, operationally and financially, in bringing together new to English, Education Social Work and Behaviour support services. She also explained further the proposal to re-align specialist teaching services with schools and stated that she has a number of meetings with colleagues arranged to further explore how these previously very traditionally managed support services could be delivered in a different way. It is understood that there is a large number of staff attached to these teams.

In the subsequent discussion Members made the following comments and asked the following questions:

- Whether the Council's budget in its entirety has been stress tested. The Director of Finance responded to explain that the budget is stress tested in a number of ways including at director level and through the consultation. The budget proposals will be further tested against announcements by Government between now and February, before the final proposals are presented to Council on 25 February. The Director also explained that the budget is becoming more complicated as there are 3 levels of change being managed and monitored; savings already agreed to be made during 2015/16, changes to be implemented in 2016/17 that were agreed in last year's budget setting process and then new proposals for 2016/17. The current degrees of



uncertainty and the sheer amount of change are key risks in the assessment of the Council's financial position.

- Whether the Council's proposals result in 'bunting shunting' towards the DSG / delegated school budgets. The Strategic Director responded to say that this is not the intention and that we do not think that the proposals do this, but that we need to have clear impact measures in place. The Chair asked for further information to be provided to the Forum on what liabilities may transfer to schools following the establishment of a SEND sector-led model (including liabilities for central infrastructure and other costs).
- Referring to the information presented on the sufficiency of specialist SEND places, we know that pressures are already present and we need to think about the development of specialist teaching services in the context of the necessary growth in the number of places over the next 5 years. We should be looking strategically at where we want to be in 2020 and work back from this. We need to future proof the changes we make now.
- The Council has a draft SEND strategy, but when are we going to move ahead with this? The Interim Assistant Director, Access and Inclusion, explained that it is anticipated that sector-led delivery would be in place by September 2016, but that it is understood that this is ambitious.
- A timeline for implementation, with milestones both for the SEND strategy and for the development of the SEND sector-led delivery, is needed. In particular, it was necessary to have this so that school leaders can manage transition, messages and expectations. This was raised as an important matter by a number of Members and was accepted and agreed by the Strategic Director.
- Whether the voluntary sector, and the 0-7 pathway, will come into considerations about sector-led delivery? The Interim Assistant Director, Access and Inclusion, stated that all aspects of service delivery are 'on the table'.

The Chair summarised the discussion, stating that these changes will be difficult for the Council, the Schools Forum and schools and other stakeholders to manage. The Forum requires more detailed information as a priority.

Resolved –

- (1) That the feedback of Forum Members (recorded in the minutes of this meeting) on the budget proposals be considered by the Council.**
- (2) That further specific detail is provided to the Schools Forum on the proposal to re-commission SEND specialist teaching support services; to include further impact assessment, the important milestones for the transfer of responsibility for services to schools and what liabilities, including for Council infrastructure (re-charge) costs, may also transfer.**

LEADS: *Strategic Director, Children's Services*
 Interim Assistant Director, Access and Inclusion

123. 2015/16 SPENDING POSITION AND ONE OFF MONIES

The Business Advisor (Schools) presented a report, **Document FM**, which updated members on the forecasted spending positions of centrally managed and de-delegated funds held within the DSG in 2015/16. The document gave members a view of the estimated value of one off monies



that would be available to add to the 2016/17 DSG Headroom and a view of the uses of this funding, with final recommendations to be taken by the Forum on 6 January 2016.

Members asked for some clarification on the spending position of the financial support for Beckfoot Upper Heaton Academy (formerly Belle Vue Boys School) this year. A Member also asked whether the delays in the buildings works would affect the cost to the DSG. The Business Advisor (Schools) responded that the cost to the DSG will not be affected by this; that the 'ratchet model' has been agreed and is based on detailed budget work, with any 'risk' from delays and changes sitting with the academy trust rather than with the DSG. A specific request was made for further information on who is providing oversight (and how this is provided) to ensure that the raising of standards at Beckfoot Upper Heaton Academy is not impeded by the financial imperative to increase pupil numbers as quickly as possible.

The Director of Finance asked whether the proposed use of £517,000 of one off monies to support the cost of expansion in former non-recoupment academies is sustainable (if this is an on-going cost). The Business Advisor (Schools) clarified that the £517,000 relates to the cost of 2 expansions that cease at September 2016, so the cost is incurred in 2016/17 only (hence one off). However, the DSG may need to provide for further future on-going growth in other settings and the Forum will need to consider this in its deliberations in future years.

The Chair summarised the discussion, offering the view that the proposals outlined in the report for the allocation of one off monies are in keeping with the Forum's prudent approach.

Resolved –

- (1) That the information provided in Document FM be noted at this stage.**
- (2) That further information is provided on who is providing oversight (and how this is provided) to ensure that the raising of standards at Beckfoot Upper Heaton Academy is not impeded by the financial imperative to increase pupil numbers as quickly as possible.**

LEAD: Business Advisor, Schools

124. 2016/17 DSG UPDATE

The Business Advisor (Schools) presented a report, **Document FN**, which provided a forecast of the anticipated DSG funding position and cost pressures in the 2016/17 financial year.

The Director of Finance highlighted, for perspective, that the forecasted £2.77m funding gap represents approximately 0.5% of the total DSG. Forum Members did not have any questions on this item.

Resolved –

That the contents of Document FN be noted.

LEAD: Business Advisor, Schools

125. FUNDING HIGH NEEDS 2016/17

The Business Advisor (Schools) presented a report, **Document FO**, which asked Members to consider the outcomes of the consultation on the 2016/17 High Needs Funding Model and the



planned number of high needs places to be commissioned by the Authority. Document FO also gave an update on the position of other strategic high needs funding matters, including benchmarking information on places provision. It was explained that these updates were provided in advance of asking Members to make final recommendations on 6 January 2016. The Business Advisor focused on the proposals for 2016/17 listed on the second page of the report and on what the benchmarking information indicates about the sufficiency of high needs places in Bradford.

In the subsequent discussion Members made the following comments and asked the following questions:

- Whether capital funding was available to enable the growth in the number of available high needs places? The Business Advisor reported that capital funding is available through the EFA for Free School developments, but that there is little funding available through the Local Authority.
- The Vice Chair stated that she feels uncomfortable talking about a more 'segregated' education model and asked Members to be aware of the issues related to inclusion that are within these discussions. Bradford has developed a strongly inclusive model and we must be very careful to understand how such a model has helped secure 'social tolerance' regarding SEND.
- Parental preference and choice are important to consider in developing our future strategy. The Representative of the PRUs, stating that we should be proud of our inclusivity, also commented that he is coming across a greater number of families wishing to access more specialist provisions.

The Interim Assistant Director, Access and Inclusion, responded to say that she is heartened by the comments from Members on inclusion and that she has a sense that MLD children should be educated in mainstream settings. The issues raised relate to the pressures on provision for children with greater levels of need and there is a sense that our number of high needs places is insufficient.

The Interim Assistant Director then presented Appendix 2, which provided Members with an update on the development of the District's behaviour strategy. In recognising the current pressures and challenges, the Interim Assistant Director emphasised the positive aspects of provision in Bradford, including our low (below average) rate of permanent exclusions and the strengths of the BACs model. It was explained that a strategic partnership has been established, which meets on a monthly basis, and work streams have begun with a 3 month outcome timeline. Two of our PRUs are effectively special schools in that they provide longer-term rather than turn-around provision and re-designation of these provisions is being considered. It is very likely that these review work stream will conclude that a greater number of behaviour support places are needed across the District.

Responding to the question asked in an earlier item about the SEND strategy review and the development of the sector-led SEND model, the Interim Assistant Director stated that this review will look at how provision will develop over the next 5 years. Members asked some questions on how this strategy (a final draft to be available on 17 December) will be in place to inform spending decisions and how this will be consulted on. It was explained that the work streams will be pulled together early next year. A Member expressed concern from this about the potential for the current lack of clarity about the timeline for the delivery of significant change to have a negative impact. Another Member stated that, given the information is telling us that we need more high needs places, and given that other local authorities are already approaching MATs in developing their provisions, we need to be working as a priority to identify possible sponsors and / or local partners to establish free schools. The Forum asked for further information to be provided on what the Local Authority is doing on this.



Resolved –

- (1) That the Forum is presented with further details on the review (and implications) of the SEND and Behaviour Strategies, as a priority as soon as possible, so that the Forum can consider and assess how these reviews should influence DSG spending decisions.**
- (2) That further information is provided on how the Authority is investigating the free school option to increase the number of available specialist places in the District.**

LEAD: Interim Assistant Director, Access and Inclusion

126. CENTRAL AND DE-DELEGATED EARLY YEARS & SCHOOLS BLOCK FUNDS 2016/17

The Business Advisor (Schools) presented verbally an update on the position of the review of Central and De-Delegated Early Years & Schools Block Funds for 2016/17, including the discussion at the Bradford Education Improvement Commissioning Board. Members were informed that the Forum's Working Group will meet immediately after this meeting to finalise its recommendations, which will be presented to the Schools Forum on 6 January.

The Business Advisor asked whether there was any matter that Members particularly wished to comment on or draw to the attention of the Working Group.

A representative of maintained primary schools reminded the Forum about previous discussions on the relationship of primary to secondary levels of funding and stated that the financial pressure in the primary sector is becoming very acute. Referring to discussions earlier in this meeting, the insufficiency of the number of places in specialist provisions for pupils with high needs is increasing pressure in the primary mainstream sector (budget pressure, pressure on school colleagues, pressure on delivering appropriate curriculums). A strategic response to this is needed quickly.

The representative of the PRUs stated that, whilst understanding that the pressure on the primary phase is acute and that the smaller size of schools (compared with secondary) is a particular issue, this pressure was also present in the secondary sector.

Resolved –

- (1) That the information provided on the current position of the review of the centrally managed and de-delegated funds be noted at this stage.**
- (2) That, in making final recommendations on the 2016/17 DSG on 6 January, Forum Members remain aware that financial pressures on schools and academies are "becoming acute".**

127. REPORT FROM THE FORMULA FUNDING WORKING GROUP

The Principal Finance Officer (Schools) presented a report, **Document FP**, which provided members with updated indicative modelling of Primary & Secondary delegated budget shares in 2016/17, using the pupil numbers taken from the October 2015 Census. This modelling was tabled only for information at this stage, prior to asking Members to make final recommendations on 6 January 2016. The report also further considered the implications of a national funding formula and outcomes of the most recent Formula Funding Working Group (FFWG) meeting.



Members confirmed that they wish to see the formula modelling to be presented on 6 January calculated on the basis of the recommendation from the FFWG to resolve the DSG funding gap through a flat reduction in formula funding rates. Members asked that the modelling specifically shows the impact of this reduction on the budgets of individual schools and academies.

In the discussion on the possible implications of a national funding formula, the Business Advisor (Schools) offered a view of the 3 key identified risks to the funding of the Bradford District: a) the anticipated reduction in the proportion of the national DSG pot that is allocation towards supporting additional education needs (which will reduce our level of funding compared with that of authorities that have a lower level of e.g. deprivation); b) as a greater proportion of children with high needs are educated in mainstream settings in Bradford, and as our DSG spending profile follows this, that any reduction in our Schools Block level of funding is likely to have a greater impact where our High Needs Block is not increased to compensate for this; c) the movement away from supporting the budgets of smaller schools through lump sum funding, which may quite significantly affect the financial viability of small and stand-alone settings. The Business Advisor (Schools) offered the view that, irrespective of the size and type of school or academy, the financial pressures are such that no institution will be successful going forward as a stand-alone entity. The Chair added that the DfE's strong focus on establishment of multi academy trusts should be seen in this context. The Director of Finance added that it is a truism that, as budgets become tighter, smaller settings and services (including Council services) lose their flexibility to manage service pressures and changes and growing need.

Members engaged in a sober discussion on these issues. A Member asked whether the outlook is that schools and academies will grow large deficit budgets. The Business Advisor (Schools) responded to say that the picture is not uniform, but that there are a number of maintained schools that are struggling and it is expected that the number of schools holding deficit balances at the end of this current financial year will increase (estimated somewhere between 10 and 15 schools). However, schools are generally acting responsibly and are positively seeking to manage their financial positions. The Local Authority is actively engaged with schools on this.

Resolved –

- (1) That the information provided on the Primary and Secondary formulae modelling be noted at this stage.**
- (2) That the final modelling for the 6 January meeting is presented incorporating the FFWG's steer on how a contribution from delegated budgets to the DSG affordability gap in 2016/17 should be taken (flat contribution from all factors). That the modelling shows clearly the contributions taken from each setting so that Members can assess impact.**

LEAD: Principal Finance Officer (Schools)

128. OTHER SCHOOLS FORUM STANDING ITEMS

No resolution was passed on this item.

129. ANY OTHER BUSINESS (AOB) / FUTURE AGENDA ITEMS

No resolution was passed on this item.



130. DATE OF NEXT MEETING

The next meeting of the Schools Forum is Wednesday 6 January 2015.

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THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER

