

Minutes of a meeting of the Schools Forum held on Wednesday, 18 October 2017 in Committee Room 1 - City Hall, Bradford

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| Commenced | 0810 |
| Adjourned | 1015 |
| Reconvened | 1030 |
| Concluded | 1045 |

PRESENT

SCHOOL MEMBERS

Ashley Reed, Deborah Haworth, Dianne Richardson, Dominic Wall, Donna Willoughby, Emma Hamer, Gill Holland, Helen Williams, Ian Morrel, Kevin Holland, Mary Copeland, Nicky Kilvington, Nigel Cooper, Sally Stoker, Tahir Jamil, Tehmina Hashmi, Trevor Loft, Sue Haithwaite, Tracey Wilkinson, Salt Stoker

NON SCHOOLS MEMBERS & NOMINATED SUB SCHOOL MEMBERS

Alison Kaye, Ian Murch, Irene Docherty and Vivienne Robinson

EXECUTIVE PORTFOLIO HOLDER – EDUCATION, EMPLOYMENT AND SKILLS

Councillor Imran Khan

LOCAL AUTHORITY (LA) OFFICERS

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| Andrew Redding | Business Advisor (Schools) |
| Angela Spencer-Brooke | Strategic Manager, SEND and Behaviour |
| Asad Shah | Committee Services Officer |
| Dawn Haigh | Principal Finance Officer (Schools) |
| Jenny Cryer | Assistant Director, Performance, Commissioning and Partnerships |
| Judith Kirk | Deputy Director, Education, Employment and Skills |
| Lynn Denholme | Early Years Strategic Manager |
| Michael Jameson | Strategic Director, Children's Services |
| Raj Singh | Business Advisor |
| Tim Barker | Human Resources - Manager Employee Relations |

OBSERVERS

Councillor Ward

Lynn Murphy Business Manager, Feversham College

APOLOGIES

MEMBERS – Brent Fitzpatrick, Lesley Heathcote, Maureen Cairns, Nick Weller, Ray Tate, Sami Harzallah, Wahid Zaman
COUNCIL OFFICERS – Stuart McKinnon-Evans, Strategic Director, Corporate Services

DIANNE RICHARDSON IN THE CHAIR

CHAIR'S OPENING REMARKS

In introducing the meeting, the Chair welcomed Gill Holland, Deborah Howarth and Ashley Reed as new Academy Members.

279. DISCLOSURES OF INTEREST

The following declarations were received as interest:

- 1) Helen Williams and Ian Morrel, for agenda item 5 "Standing Item – DSG Growth Fund Allocations".
- 2) Ian Morrel and Trevor Loft, for agenda item 10 "Consultation on High Needs Block Funding Matters 2018/19".

280. MINUTES OF 20 SEPTEMBER 2017 & MATTERS ARISING (minutes)

The Business Advisor (Schools) reported on progress made on "Action" items as follows:

- **Item 270 SEND Review Consultation (page 97):** The Strategic Manager SEND reported that the feedback from the consultation is being considered and that further consultation would be launched shortly. This consultation is being aligned with the timetable for that on the District's Early Help Strategy. Responding to the question asked by the Chair, the Strategic Manager explained that no further information has been provided by the DfE on the position of wave 13 free schools.
- **Item 271 Secondary phase maternity de-delegation (page 99):** The agreed reimbursement using option 2 has been actioned.
- **Item 272 Real terms budget cost pressures (page 100):** An additional paper has been provided for members within the agenda pack giving a simple reminder / analysis of the real terms cost pressure context. It was explained that an understanding / awareness of this position is important in the Forum's discussions, over the next few meetings, on the allocation of the Schools Block headroom and the level at which the MFG is set.
- **Item 273 Formula Funding Arrangements (page 100):** 2 FFWG sessions were attended by members. Presentations have also been made to BPIP and the Secondary CEOs / headteachers as well as to the autumn term governor forums. It was also reported that the Authority has recently attended a regional finance officers meeting and gained some useful feedback from this a) on the view of other authorities in their movement towards national funding formula and b) the positions of High Needs Block pressure.

Other Matters Arising

- **October Census admissions:** The Business Advisor (Schools) explained In previous years we have reported to the Forum the number of children that were in the system but had not been allocated a place in a primary or secondary school before the October Census was taken. On a simple basis, we do not receive DSG funding for the children that are not placed by this time. It was reported that the position has improved for October 2017. Of the 115 not on role for October 2017, remaining from 1,500 applications, 24 were in primary and 94 in secondary (of the 94: 55 were KS3 and 39 KS4). The DSG Schools Block cost of 115 pupils is c. £607k (£100k primary, £507k secondary). Admissions has analysed the reasons behind the 115. Forum Members agreed that it would be helpful to share this analysis.
- **Schools Forum operational guide:** The Business Advisor (Schools) reported that the DFE has updated its self assessment and good practice guidance for the operation of Schools Forums. This includes some simple tables, which set out the decision making powers of Schools Forums. It will be useful for Forum Members to have updated sight of this information and this will be circulated.

Resolved –

- (1) That progress made on “Action” items be noted.
- (2) That the minutes of 20 September 2017 be signed as a correct record.

ACTION: *City Solicitor*

281. MATTERS RAISED BY SCHOOLS

Resolved –

No resolution was passed on this item.

282. STANDING ITEM - DSG GROWTH FUND ALLOCATIONS

The Business Advisor (Schools) presented a report, **Document HU**, which set out newly proposed allocations to schools and academies from the established DSG Schools Block Growth Fund. He explained that 2 allocations to primary and 9 to secondary schools and academies are proposed.

Forum Members did not ask any questions and did not comment further.

Resolved –

That the Growth Fund allocations set out in Document HU be approved.

Action: *Business Advisor (Schools)*

283. NATIONAL FUNDING FORMULA ANNOUNCEMENT

The Business Advisor (Schools) presented a report, **Document HV**, which provided a briefing on the composition and implementation of the National Funding Formula written in response to the fuller announcement made by the DfE in September 2017. He explained that the immediate consequences for 2018/19 are further considered under agenda item 8.

Forum Members did not ask any questions and did not comment further.

Resolved –

That the briefing be noted.

284. TEACHERS' PAY POLICY 2017

The Employee Relations Manager attended the Forum to explain the decision that is required to be taken by the Council regarding the discretionary element of the teacher's main pay scale award for 2017/18 and to collect the Forum's feedback on whether schools should be further surveyed before a final decision is taken.

He explained that the following recommendations were made in the STRB's report and were accepted by the Government:

- 2% uplift to the minimum and maximum of the main pay range (MPR);
- 1% uplift to the minima and maxima of the upper pay range (UPR), the unqualified teacher pay range and the leading practitioner pay range;
- 1% uplift to the minima and maxima of the leadership group pay range and all head teacher group pay ranges; and,
- 1% uplift to the minima and maxima of the Teaching and Learning Responsibility (TLR) and Special Educational Needs (SEN) allowance ranges.

However, there is also a discretionary element to this year's pay award of an additional 1% to all reference points within the MPR (other than the minimum and maximum) and this is left to local determination. There is no national recommendation either way on this discretionary element. It is for the Strategic Director, Children's Services to recommend and decide.

The Employee Relations Manager explained that the Teacher Trade Unions, including the NAHT, nationally have issued joint advice that the discretionary element should be paid and that they will only support Pay Policies that include this. Bradford Council has met with the local Trade Unions representatives to brief them on the above position and the Unions have reiterated this position. The Employee Relations Manager stated that 3 out of 4 regional authorities have already taken the decision to implement the discretionary 1%, with the other having not yet taken the decision but stating that it is minded to do so.

The Representative of the Teaching Trade Unions clarified that the Council's decision relates only to the Council's pay policy for teachers (in community and voluntary controlled schools). In this, the Unions would expect the Council to meet with the Unions through the established bargaining framework. Schools, where the governing body is the employer, and Academy Trusts are required to take their own decisions. He also stated that one of the strong arguments for

implementing the discretionary element so that the construct of the MPS is retained, as most schools continue to use a points structure. He reported that all the individual employers of teachers in Bradford (41 in total) that the Unions have spoken to so far have said that they will be implementing 2% across the MPS.

The Strategic Director, Children's Services stated that the Council needs to ensure that Bradford remains competitive in its recruitment of high quality teachers. We also need to be very careful to avoid the possibility of equal value pay claims. These factors potentially lead us towards a decision to implement. However, it is understood that there will be immediate financial consequences for school budgets. The Strategic Director stated that he will take a decision quickly.

Forum Members expressed different views about whether a survey of schools should be taken before a final decision is made. The Forum's majority view was that a decision needs to be taken quickly and that a survey is not necessary. However, some Forum Members expressed concern about the implications for individual school budgets. One Member in particular asked for this to be recorded.

Resolved –

That the Local Authority considers the advice of the Schools Forum (the feedback and views recorded in the minutes of the meeting) in its decision making on this matter.

Action: *HR Manager Employee Relations*

285. CONSULTATION ON THE PRIMARY AND SECONDARY SCHOOL FORMULAE 2018/19

The Business Advisor (schools) presented a report, **Document HW**, which asked the Forum to consider the consultation document, which outlines the proposals for the formulae to be used to calculate budgets for Primary and Secondary schools and academies for the 2018/19 financial year and the criteria that will form the basis of the allocation of additional funding to schools (and academies where appropriate) from DSG centrally managed funds.

The Business Advisor (Schools) explained the 6 key decisions that are set out in the document and what is proposed against each of these. These decisions frame the Forum's discussions over the next few meetings. He stressed the indicative nature of the modelling and that final 'affordability' would be confirmed following the release of the October 2017 census dataset in December.

The Business Advisor also explained that, following the writing of the consultation document, clarification had been received from the Education and Skills Funding Agency that authorities that wished to set a Minimum Funding Guarantee level higher than 0% (up to + 0.5%) could apply to the Secretary of State to do so. Gaining approval to do this did not commit us to funding a higher MFG but it would give us another option available in our allocation of the DSG next year. The Business Advisor stated that, on current data, the additional cost of a 0.5% MFG vs. 0% would be c. £1.01m (£0.77m primary and £0.24m secondary).

Forum Members made the following comments:

- That the position for schools under a minus 1.5% MFG will be dire especially in the context of possible release of public sector pay restraint during 2018/19. The MFG needs to be set at the maximum level possible.
- However, the option to use remaining primary-phase headroom within the Schools Block instead to support low-AEN schools with higher levels of SEND (by enhancing the SEN Funding Floor, as set out in the consultation) as an alternative to the MFG enhancement should be seriously considered. It was acknowledged that this latter approach will require the transfer of monies from the Schools Block to the High Needs Block (to fund additional expenditure, not to reduce cost pressure).
- The argument for moving to implement national funding formula locally in 2018/19 is quite compelling. The feedback from secondary phase headteachers / CEOs indicates that they are already supportive of this proposal.
- A further ‘top-slice’ from the Schools Block to support the High Needs Block in 2018/19 is very unlikely to be supported by schools. The transfer made in 2017/18 was to support the High Need Block strategically over the next 5 year period under national funding formula.

Resolved –

- (1) That the consultation document (Document HW Appendix 1) be published.
- (2) That requests (‘disapplications’) be submitted to the Secretary of State for permissions a) to set the Minimum Funding Guarantee (MFG) in 2018/19 above 0%, up to + 0.5%, b) to amend the calculation of the minimum per pupil funding floors in 2018/19 to remove the BSF / PFI factor and business rates, and c) to exclude the re-profiling element of the BSF / PFI factor from the calculation of the MFG / ceiling in 2018/19 so that this does not distort these calculations.

Action: *Business Advisor (Schools)*

286. CONSULTATION ON EARLY YEARS BLOCK FUNDING MATTERS 2018/19

The Business Advisor (Schools) presented a report, **Document HX**, which provided an update on Early Years DSG funding matters and the consultation document, proposed to be published, which sets out proposals for Bradford’s Early Years Single Funding Formula for the 2018/19 financial year.

The Chair asked for confirmation of whether the protection for nursery schools is being funded at national or local level. The Business Advisor confirmed that this was a national-level protection, funded through a specific supplement within the Early Years Block, which was guaranteed by the DfE until the end of 2019/20.

Forum Members did not ask any further questions and agreed for the consultation document to be published.

Resolved –

That the consultation document (Document HX Appendix 1) be published.

Action: *Business Advisor (Schools)*

287. CONSULTATION ON HIGH NEEDS BLOCK FUNDING MATTERS 2018/19

The Business Advisor (Schools) presented a report, **Document HY**, which asked Members to agree the publication of the proposed consultation document on the High Needs Block funding model for 2018/19. This includes sight of the estimated number of places the Authority expects to commission and the arrangements for paying top up (Plus Element) funding. In presenting the report, the Business Advisor highlighted the benchmarking of top up rates and the proposal for the cessation of the funding of the top up associated with the placement of pupils without EHCPs in alternative provisions.

Within the subsequent discussion on the wider review of SEMH provision, the Chair asked for an update on the progress of the re-designation of 2 identified PRUs that are acting as special schools. The Strategic Manager, SEND, responded to explain that re-designation was not an easy process but that this will be achieved through academy conversion. This is currently being considered. The Vice Chair added that the consequential impact of this change on other provisions must be fully worked through. The Chair requested that a report on re-designation be presented to the next Forum meeting.

The representative of the PRUs emphasised that although the continued 'double funding' of placements is not appropriate a revised financial system must sustain high quality provision. He strongly recommends that the future financial system continues to operate through the BACs in collaboration rather than at individual school level. The Vice Chair confirmed that the wider SEMH review is looking at this. The Chair added that a full discussion is needed on growth in the number of permanent exclusions in the primary sector and exploration of the mechanisms that should be put in place, including the possible replication of the BACs and local agreements framework.

Resolved –

- (1) That the consultation document (Document HY Appendix 1) be published.**
- (2) That a report be provided to the next meeting, which enables the Schools Forum to further consider the options and implications for the re-designation of identified PRUs that are delivering SEND, rather than alternative, provision.**

Action: *Business Advisor (Schools)*

288. DSG CENTRAL ITEMS AND DE-DELEGATED FUNDS 2018/19

The Business Advisor (Schools) presented a report, **Document HZ**, which asked the Forum to consider the position of the funding of Central Schools, Schools and Early Years Block central items and de-delegated items funding within the DSG in

2018/19. In presenting, the Business Advisor highlighted the review of trade union facilities time and also the proposal to use the headroom within the newly created Central Schools Block to help relieve some of the pressure within the High Needs Block.

Resolved –

That the information presented be noted. The Schools Forum did not identify additional areas of review.

289. SCHOOLS FORUM STANDING ITEMS

The Business Adviser (Schools) confirmed that there are 3 new academy representatives on the School Forum and that two primary schools converted to academy status on 1 October.

There was nothing to update further on the other standing items.

Resolved –

That the information provided be noted.

290. ANY OTHER BUSINESS / FUTURE AGENDA ITEMS

The Vice Chair reminded the Forum of the request to capture information on the major non-DSG funding streams that are present in Bradford, including funding coming into the District through the Teaching Alliances.

Resolved –

That further information be provided on additional grants of a significant value that are being allocated into the District, including to the Teaching School Alliances, to facilitate transparency and further consideration of the monitoring of how these grants are being effectively deployed.

291. DATE OF NEXT MEETING

The next Forum meeting is scheduled for Wednesday 6 December 2017.

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Schools Forum.

