

## **MINUTES OF THE MEETING OF THE SCHOOLS FORUM HELD ON WEDNESDAY 11 JULY 2018 AT CITY HALL, BRADFORD**

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Commenced 0810

Concluded 0955

### **PRESENT**

#### SCHOOL & ACADEMIES MEMBERS

Ashley Reed, Brent Fitzpatrick, Bryan Harrison, Deborah Haworth, Dianne Richardson, Dominic Wall, Emma Hamer, Gill Holland, Emma Hamer, Gill Holland, Graham Swinbourne, Helen Williams, Ian Morrel, Kevin Holland, Nicky Kilvington, Nigel Cooper, Sue Haithwaite, Trevor Loft and Wahid Zaman.

#### NON SCHOOL MEMBERS

Vivienne Robinson

#### NOMINATE SUBSTITUTE

Alison Kaye and Irene Docherty

#### LOCAL AUTHORITY (LA) OFFICERS

Andrew Redding	Business Advisor (Schools)
Andrew Crookham	Assistant Director - Finance and Procurement
Asad Shah	Committee Services Officer
Dawn Haigh	Principal Finance Officer (Schools)
Michael Jameson	Strategic Director, Children's Services
Yasmin Umarji	Strategic Relationship Manager
Lynn Donohue	Early Years Strategic Manager
Raj Singh	

#### APOLOGIES

MEMBERS – Helen Williams, Mary Copeland, Sir Nick Weller, Ray Tate, Sally Stoker, Tahir Jamil, Ian Murch, Donna Willoughby. Councillor Khan, Deputy Leader of Council.

### **DIANNE RICHARDSON IN THE CHAIR**

At the start of the meeting the Chair welcomed the 2 new maintained primary Headteacher members (Bryan Harrison and Graham Swinbourne). The Chair also asked thanked Mary Copland (retiring member) for her many years as member of the Forum and asked that the minutes of the meeting record the Forum's thanks.

### **316. DISCLOSURES OF INTEREST**

A declaration was received from Dominic Wall, Sue Haithwaite, Emma Hamer, Ian Morrel and Trevor Loft for agenda item 6 "SEND and SEMH Reviews", (minute 320).

## 317 MINUTES OF 23 MAY 2018 AND MATTERS ARISING Minutes

a) To agree the minutes as a correct record.

b) The Business Advisor (Schools) reported on progress made on “Action” items:

- **Item 322 SEND and SEMH Reviews:** The Business Advisor reported that a report on the SEND and SEMH reviews is presented to the Schools Forum under agenda item 6. With regard to the Forum’s resolution supporting the development of a primary phase local agreement – a presentation was made to BPIP on 24 May and the Authority sent at the beginning of June a letter to all primary schools and academies asking them to sign up to a local agreement to enable a ‘support charge’ to be made of £8,000 for a permanent exclusion for this money to follow the child. With regard to the referrals to the HNB Steering Group (on HNB trajectory modelling and PRU balances), these matters were initially discussed by the Group at the meeting 9 July. Recommendations from the HNB Steering Group will come back to the Forum in autumn.
- **Item 325 Schools Outturn Revenue Balances:** The Business Advisor reminded Forum Members of their requests for statements from the Local Authority on 2 matters – BSF utilities dispute settlement and Hanson School deficit. He referred Members to the statements that have been tabled. See the record of further discussion below.
- **Item 327 AOB:** The Business Advisor reminded Members that the Vice Chair made a request at the last meeting for clarification on the financing of Bradford New College specifically with reference to the source of funding of the College’s recent promotional event. He explained that, although we are still checking with City Hall about this specific promotional event, and will confirm for the Forum in autumn, we have confirmation that the costs of a promotional event organised in September 2017 was charged to New College.

### BSF / PFI Utilities Dispute

In response the tabled statement, the Vice Chair expressed concern that Forum Members remain unaware of the complexity of the position, of how and when the disputes will be resolved, and the potential financial impact that resolution may have both on the budgets of the schools affected and on the DSG Schools Block. He expressed his view, as the Headteacher of a BSF school, that the Authority has not engaged to a satisfactory extent recently with BSF schools on the status of the negotiations. The concerns expressed by the Vice Chair were support by an academies member, who is also the CEO of a MAT with BSF schools. Referring to the option considered at the last meeting, the academies member suggested that a confidential agenda item is now added to the Forum’s September meeting so that the Forum can receive a full update on this matter, including the progress of negotiations over the summer, and can more closely consider the financial impact that a resolution may have on schools and on the DSG. This suggestion was welcomed by Forum members.

### Hanson School

The Strategic Director, Children's Services, presented the written statement. He explained in particular that the statement sets out the positive progress that the school is making under the support of Gorse Academies Trust. This progress has been acknowledged by Ofsted. The statement sets out the scale of the financial challenge now faced, which has an historic element as well as a recurrent problem. The Strategic Director confirmed that the Schools Forum is not asked to make additional contribution from the DSG above the provision that is already agreed. He stated that the financial, and contractual, issues need to be resolved between the Authority, the school, the DfE and the RSC and that conversations to this end are on-going. He added that he has commissioned an education audit of the school, the purpose of which is to ensure that the school is offering value for money.

In response to the statement, an academies member welcomed the Authority's confirmation that no more commitment was being asked for from the DSG. A schools member, responding to the Strategic Director's statement that the Authority needs to better understand the contracts held by the school, commented that the Authority should by now already understand these.

#### **Resolved –**

- (1) That progress made on "Matters Arising" be noted.**
- (2) That the minutes of the meeting held on 23 May 2018 be signed as a correct record.**
- (3) That the Authority contacts the schools and academies affected by the PFI benchmarks dispute to ensure that they understand the current position and timescale for resolution.**
- (4) That a 'closed to the public' item is added to the end of the September Schools Forum meeting to enable the Schools Forum to more closely consider matters relating to the PFI contract and the benchmarks dispute and the impact that these may have on individual schools and on the DSG.**

**ACTION:** *City Solicitor*  
*Business Advisor (Schools)*

#### **318 MATTERS RAISED BY SCHOOLS**

The Chair and the Business advisor (Schools) reported that no matters have been raised with the Schools Forum.

**No resolution was passed on this item.**

#### **319 STANDING ITEM - DSG SCHOOLS BLOCK GROWTH FUND ALLOCATIONS**

The Business Advisor (Schools) reported that there are no new allocations for approval presented to this meeting. Proposed allocations for growth in the secondary phase will be presented to the Forum in October.

The Business Advisor explained that a report is being planned to be tabled to the Schools Forum's September meeting on the impact of 'under-subscription' in schools and the options that may be available for supporting this. He advised, following the Authority's round of discussions with maintained schools on their 2018-2021 budgets, that a number of schools are being significantly affected by reducing / fluctuating / lower than PAN pupil numbers, and that there are different causes of this. The Business Advisor explained that he would like the Schools Forum to give the Authority a steer about how / whether schools facing under-subscription can be supported financially from the DSG.

Members responded to welcome further consideration of under-subscription as a financial issue. The Vice Chair requested that September's report includes information on Bradford's holistic places-planning strategy so that the Forum can understand, support and contribute to this.

#### **Resolved –**

**That a report is presented to a meeting in the autumn term, which enables the Schools Forum to more closely consider the Authority's places planning strategy and the impact that falling rolls is having in certain areas of the District and the options that may be available to support schools.**

***ACTION: Business Advisor (Schools)***

## 320 **SEMH AND SEND REVIEWS AND STRATEGY**

The Chair of the Forum introduced this item by reminding the Forum of the discussion at the last meeting and the request made by members that the Authority pulls together its reviews into a strategic 'outcomes' document. The Interim Strategic Lead, SEND and Behaviour, added that the Authority's draft SEND strategy was being presented to the SEND Strategic Board this week and will be published for consultation in September and shared with the Forum at this point.

The Interim Strategic Lead, SEND and Behaviour and the SEND Planning and Project manager, with input from the Strategic Director, Children's Services, presented **Document IV**. The presentation summarised the development of the reviews in key areas: of additional interim SEND and SEMH places, the status of the national free schools programme, the position of the re-advertising / brokering of the agreed new SEMH free school, the re-designation of PRU provision, the development of the behaviour continuum, local agreements and alternative provision and the Authority's transport review.

The presentation emphasised the very significant issues the lack of basic needs capital is creating alongside the uncertainties of the national free school programme. The Strategic Director, Children's Services explained that a letter is being sent from the Leader of the Council to Lord Agnew specifically on the issue

of lack of SEND capital.

The Chair thanked the Strategic Director and officers for their detailed presentation. She stated that this information appears to very clearly confirm the outline view of members, given at the last meeting, that a 'plan B' is needed if sufficient places for high needs pupils are to be provided. She noted that the number of planned places needing to be delivered has crept up since initial consideration 3 years ago (400 increased from 300). The Chair welcomed the Authority's action to raise the issue of the lack of SEND capital funds directly with Ministers and suggested that the Schools Forum also writes to Lord Agnew to support the Leader's correspondence.

Forum members supported the Chair's comments and added to these. An academies member stated that Bradford's complex position is a 'litmus test' for what is now happening nationally. As such we are not an outlier and we have a right to lobby Government hard about the financial and provision issues that we face and where the Government's response is not adequate. This view was supported by members. The SEND Planning and Project manager added that EBD OG is currently lobbying Government about the omission of SEND planning date in SCAP returns. The Business Advisor (Schools) also added that, as well as significant issues with a lack a capital funding, the Forum should not lose sight of the very significant High Needs Block revenue issues that the Authority will face in coming years should the damping in national funding formula not be released.

**Resolved –**

- (1) That the information provided in Document IV is welcomed and be noted.**
- (2) That a letter is sent from the Schools Forum to the Department for Education (Lord Agnew), which sets out Bradford's position on High Needs revenue and capital funding and places sufficiency and which supports the correspondence from the Local Authority to Lord Agnew on these matters.**

***ACTION: Business Advisor (Schools)***

## **321 SCHOOLS FORUM MEMBERSHIP - CHAIR AND VICE CHAIR**

The Business Advisor (Schools) reported that, as per the Forum's agreed management procedures, the terms of office of the Chair and Vice Chair are for 1 year and both positions are now up for renewal. Members were asked to approve the proposed approach (by email) for the collection of nominations and for the election of the Chair and Vice Chair of the Schools Forum for 2018.

Both the Chair and the Vice Chair stated that they would like to stand for re-election.

**Resolved –**

**That the established approach (email) be followed for the collection of**

**nominations and for the election of the Chair and Vice Chair of the Schools Forum for 2018/19.**

**Action:** *Business Advisor (Schools)*

## 322 **SCHOOLS FORUM MEMBERSHIP**

The Business Advisor (Schools) presented a report, **Document IW**, which provided an update for information on the Forum's membership composition. He explained that the Authority's latest calculation confirms that our Schools and Academy members composition should not be adjusted further at this time as the split of maintained and academies membership is in line with pupil numbers, where the calculation of pupil numbers incorporates a forecast of academy conversions to take place during 2018.

The Business Advisor reminded the Forum that an academy vacancy is currently being held to be filled by a representative of alternative provision as we expect the conversion of maintained alternative provision in the next 12 months. He also explained that the announcements by the DfE in July may include directed changes to the composition of School Forums nationally. A report will be presented to the Schools Forum in September if this is the case (if we required to adjust our composition).

**Resolved –**

- (1) That the information presented on the School Forum's membership be noted.**
- (2) That the Authority's proposal that the Forum's membership composition as it currently stands be retained for 2018/19 be supported.**

**Action:** *Business Advisor (Schools)*

## 323 **UPDATE ON NATIONAL FUNDING FORMULA AND DEDICATED SCHOOLS GRANT 2019/20 (i)**

The Business Advisor (Schools) presented a report, **Document IX**, which provided an update for information on matters relating to the future development of National Funding Formula (NFF) and the 2019/20 Dedicated Schools Grant. He explained that this update is provided following attendance at a DfE policy briefing session held on 18 June and is written in advance of the publication of more detailed operational guidance on DSG management for the 2019/20 financial year, which is expected later in July. As such, 2019/20 arrangements and NFF will be a significant agenda item at the Forum's September meeting.

Referring to discussions that took place at the last meeting, the Business Advisor emphasised how uncertain the direction of travel and speed of progress to NFF currently is. The DfE appears to be indicating that the move to a 'hard' NFF in the Schools Block will not take place at April 2020, as previously expected. The DfE

also appears keen to assert that decisions on NFF, and on other important matters, including the position of the funding of nursery schools, will not be taken until after the autumn 2019 spending review. The Business Advisor explained that this level of uncertainty will be difficult for the Authority and the Forum to manage and it may inevitably influence 'cautious' decision making on the allocation of the 2019/20 DSG.

Forum Members did not have any questions and did not make any comments.

**Resolved –**

- (1) That the information provided in Document IX be noted.
- (2) That Forum Members be invited to attend a 'Formula Funding Working Group' session, on Monday 1 October (8am) or Tuesday 2 October (8am) or Thursday 4 October (8am).

**ACTION:** *Business Advisor (Schools)*

324 **AMENDMENTS TO THE SCHEME FOR FINANCING SCHOOLS AND LINKED DOCUMENTS (FINANCIAL REGULATIONS FOR MAINTAINED SCHOOLS AND SCHOOL CONTRACT STANDING ORDER)**

The Business Advisor (Schools) presented a report, **Document IY**, which asked the Forum to consider proposals for, and to agree for a consultation to take place with maintained schools on, the amendment of the Council's Financial Regulations for Maintained Schools and School Contract Standing Orders, and subsequent amendments to the Scheme for Financing Schools. He explained that the Forum has decisions making authority over the Scheme and, if agreed, the outcomes of consultation would be presented back to the Schools Forum on 19 September. The Authority intended to implement the agreed amendments as soon as possible following the completion of the consultation and decision making processes.

The Business Advisor summarised the headline proposed changes, which includes the proposal to uplift the requirement in the CSOs for schools to request written quotations for spending from above £4,000 to above £10,000.

A Member responded to request that the time period of the consultation is extended to enable maintained school governing bodies to properly consider the proposed amendments in their early autumn term meetings. It was agreed that the time period would be extended, with a report coming back to the Forum on 17 October. Forum Members did not have any further questions and did not make any further comments.

**Resolved –**

- (1) That a consultation takes place with maintained schools on proposed revision and re-issue of the Documents set out in Document IY.

- (2) That the period of consultation is extended to close in October rather than in September, to better enable schools to consider the proposed amendments. That the outcomes of the consultation be presented to the Schools Forum's October meeting.

**ACTION:** *Business Advisor (Schools)*

### 325 **SCHOOLS' FINANCIAL VALUE STANDARD**

The Business Advisor (Schools) presented the Authority's annual report, **Document IZ**, which provided the Forum with an update on the compliance of maintained schools with the Schools' Financial Value Standard (the SFVS) at 31 March 2018.

The Business Advisor stated that the DfE intends to adjust the requirements of the SFVS for schools from April 2019 to include a comparative 'dashboard'. Further information on this was expected to be published in the autumn and will be discussed with schools. He also explained that the DfE expects to publish a voluntary standard for academies in the autumn.

Forum Members did not have any questions and did not make any comments.

**Resolved –**

**That the information provided in Document IZ be noted.**

### 326 **FINANCIAL CLASSIFICATION OF MAINTAINED SCHOOLS 2018/19**

The Business Advisor (Schools) presented the Authority's annual report, **Document JA**, which provided the Forum with a summary of the categorisation of maintained schools within the Local Authority's Financial Classification of Schools for the 2018/19 academic year. He explained how this classification (the increased number of schools placed in category C) evidences the challenging financial climate for schools. Forum Members did not have any questions and did not make any comments.

**Resolved –**

**That the information provided in Document JA be noted.**

### 327 **SCHOOLS FORUM STANDING ITEMS**

The Business Advisor reported that all updates on standing items have been covered in earlier agenda items and therefore, there was nothing further to report.

**No resolution was passed on this item.**

### 328 **ANY OTHER BUSINESS / FUTURE AGENDA ITEMS**



**No resolution was passed on this item.**

**331. DATE OF NEXT MEETING**

The next Forum meeting is scheduled for Wednesday 19 September 2018.

In closing the meeting, the Chair thanked all Forum Members for their input into the Forum's work over the last year. The Chair also thanked Committee Secretariat and the other supporting officers for their contributions and advice.

**Resolved –**

**That the Schools Forum meetings for the 2018/19 academic year be approved as scheduled, as follows:**

- **Wednesday 19 September 2018, 8am**
- **Wednesday 17 October 2018, 8am**
- **Wednesday 5 December 2018, 8am**
- **Wednesday 9 January 2019, 8am**
- *Wednesday 16 January 2019, 8am (provisional meeting)*
- **Wednesday 13 March 2019, 8am**
- **Wednesday 22 May 2019, 8am**
- **Wednesday 10 July 2019, 8am**

Chair

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

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