

Note: These minutes are subject to approval as a correct record at the next meeting of the Schools Forum on 14 October 2020

Schools Forum meeting held remotely on Wednesday 16 September 2020

To view the archived recording of this meeting, please see here:

https://bradford.public-i.tv/core/portal/webcast_interactive/509479

Commenced 0805, Adjourned 0937
Reconvened 0950, Concluded 1015

PRESENT

School Members

Ashley Reid, Brent Fitzpatrick, Bryan Harrison, Carol Dewhirst, Dianne Richardson, Dominic Wall, Graham Swinbourne, Emma Hamer, Helen Williams, Ian Morrel, Nicky Kilvington, Nigel Cooper and Sian Hudson

Nominated Sub School Members

Alison Kaye

Non School Members

Ian Murch

DIANNE RICHARDSON IN THE CHAIR

Local Authority Officers

Andrew Redding	Business Advisor (Schools)
Asad Shah	Governance Officer
Dawn Haigh	Principal Finance Officer – Schools
Mariam Haque	Deputy Director, Education and Learning
Niall Devlin	Strategic Manager, Integrated Assessment
Rachel Phillips	Strategic Manager, Admissions and Exclusions
Emma Hamer	Strategic Manager, Sufficiency and Intelligence

Apologies

Member - Sue Haithwaite and Trevor Loft.

Councillor Imran Khan, Portfolio Holder, Education, Employment and Skills

492. DISCLOSURES OF INTEREST

Declaration of interest were received from Ian Morrel, Emma Hamer and Dominic Wall for item 478 (SEND and AP update). Dominic Wall also declared an interest for item 487 (Funding Health Services in Schools).

493. MINUTES OF 8 JULY 2020 & MATTERS ARISING

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

- **Item 462 Minutes (Falling Rolls Fund):** An email was sent to members asking for expressions of interest in the Falling Rolls Fund sub-group. Members that have expressed their interest will be contacted shortly to arrange a meeting, which will take place before the next Schools Forum.
- **Item 463 Matters Arising (Funding Health Services in Schools):** The requests recorded in the minutes are picked at the end of this agenda.
- **Item 465 Chair and Vice Chair:** The agreed process for the collection of nominations was completed. The only nominations put forward were for Dianne Richardson as Chair and Ian Morrel as Vice Chair, so an election was not required. Dianne and Ian continue in their positions for the 2020/21 academic year.
- **Item 467 Scheme for Financing Schools:** The consultation has been completed as agreed. We received one response, which was in agreement with our proposals. A summary of the proposals is re-stated for the Forum at page 11 in the agenda documentation. We now ask the Forum to agree the changes as proposed for immediate implementation. This was agreed without comment or question.
- Linking in with the Scheme amendment, the DfE has published its outcomes of its consultation on improving **financial transparency** within the DSG and the maintained school sector. These outcomes include additional actions for the Local Authority as well as for maintained schools. A summary of these actions is provided for the awareness of the Schools Forum at page 13 in the agenda documentation. We are also required to adjust our Scheme for two directed revisions, which do not require local consultation. These are shown on page 11 in the agenda documentation and will be inserted into our Scheme that goes live today. The Vice Chair asked for a list of maintained schools to be provided.
- **Item 468 SEND & AP Review Update:** An update is provided under agenda item 6.
- **Item 470 National Funding Formula:** An update is provided under agenda items 7 (for COVID-19) and 8 (for National Funding Formula).

The Business Advisor (Schools) reported two other matters arising:

- We would like to warn primary-phase maintained school representatives that, as last year, because of the timescales needed to confirm subscription, these members will be asked at the next meeting on 14 October whether they wish to de-delegate for the purposes of subscribing to **Fischer Family Trust** for 2021/22. As such, it will be helpful for these members to have collected feedback from colleagues in advance of this. We will send an email to

members following this meeting to help.

- The final position of **brought forward balances within the DSG by block at 31 March 2020** is presented for members' reference at page 9 in the agenda documentation. The only change from the position presented on 8 July is the confirmation of our Early Years Block funding for 2019/20, which has adjusted the Early Years Block brought forward balance by £55k. The forecast of balances remaining at the end of this current 2020/21 financial year will be presented, as usual, in December.

494. MATTERS RAISED BY SCHOOLS

The Business Advisor (Schools) reported to the Forum the communication he received from Ley Top Primary School in which the Chair of Governors seeks re-assurance that the sufficiency of SEND funding in schools, especially in the context of the impact of COVID-19 on high needs provision delivery, is being closely considered by the Schools Forum. The Business Advisor reported that he has given this re-assurance, explaining that SEND funding has been (and continues to be) one of the highest priority matters considered by Forum members and that the Forum began to consider the financial implications of COVID-19 at its meeting in July and will continue to consider these implications going forward.

The Deputy Director, Education and Learning, added that she continues to raise with the DfE the issues and concerns that have been communicated to her by schools (by email) regarding the financial implications of COVID-19 across a number of factors. The DfE in response has said that it will raise these with ministers and will seek to make these concerns 'a national issue'. The Deputy Director asked that schools continue to communicate to her their financial issues and concerns.

No resolutions were passed on this item.

495. STANDING ITEM - DSG GROWTH FUND ALLOCATIONS

The Business Advisor (Schools) presented **Document LT**, which asked the Forum to agree a new allocation to a primary school from the 2020/21 Schools Block Growth Fund.

Forum members approved this allocation without comment or question.

Resolved –

That the Growth Fund allocations shown in Document LT be agreed.

LEAD/CONTACT OFFICER: Business Advisor, Schools

496. SEND & ALTERNATIVE PROVISION REVIEWS - PROGRESS UPDATE

The Deputy Director, Education and Learning, led a verbal update on SEND and

AP provision matters including on information requested previously by the Forum on the occupancy of specialist places, the number of EHCPs across the District and the status of discussions with the DfE regarding the academy order for District PRU. It was reported that:

- 87% of established places are occupied at September 2020. This is a positive position, which provides for capacity to be used for new placements from this point (the Authority would not wish to have occupied all available places at the start of the academic year).
- From the Authority's data-dashboard, there are 4,501 EHCPs across the District of which 2,484 are placed in mainstream provisions.
- Regular discussions are taking place with the DfE regarding District PRU's academy order and we anticipate a ministerial decision on this in the next few weeks. The Authority, as planned from September, is no longer commissioning places from the PRU. The majority of the PRU's staff are re-deployed currently in support of the Authority's COVID-19 recovery plan.

The Chair asked the Deputy Director whether a written report on places occupancy would be presented to the next Forum meeting. This request initiated a discussion on the role of the Schools Forum and what information should be presented by the Authority in support of this role.

The Deputy Director and Strategic Manager, Integrated Assessment, stated that the Forum is requesting information, including on operational matters, that falls outside of their remit, and that this information is presented more relevantly to other groups, including the SEND Partnership Board, and is already available publicly. By contrast, for example, wider school places organisation and sufficiency information is not requested by or presented to the Forum. It is also felt that the Forum should begin to consider more closely than it does presently other financial matters relating to high needs provision, including out of authority costs and how the three different parts of the EHCP system (education, health and social care) interact financially. The Authority would therefore, like now to re-focus the Forum's discussions in respect of high needs and would like to talk with the Forum more about this.

The Chair, Vice Chair and some other Forum members expressed their disagreement with the Authority's viewpoint. They expressed their concerns that the Authority's position (to not provide reports on e.g. places occupancy) would represent a change in policy and would mean that information that will inform their understanding of High Needs Block financial matters will not be available to them. The Vice Chair stated that the Forum should continue to be given information to enable members to understand the strategic use of monies. An academies member expressed the view that there is aspect of the Forum's information requests that aimed at ensuring accountability for the monies within the High Needs Block that were previously transferred for the creation of new places and that another aspect is supporting forward planning. The member also suggested that a contributory factor to the way the Forum feels is that information requested has been commonly recently presented verbally rather than in written reports and, as a result, it has been difficult for the Forum to keep track. He also reminded the Forum that it has previously operated a high needs block steering group, which has not recently met.

The Business Advisor (Schools) was asked what the DfE's guidance is / Regulations are in this area. He explained in summary that the Authority is the decision maker in respect of the High Needs Block and that the Schools Forum is a consultative body only. The Authority does however, have a responsibility to ensure that the Forum is an informed body and the Authority has always sought to ensure that the Forum makes informed comment, decisions and recommendations. The Regulations do specifically state that the Authority has a duty to consult annually with the Forum on places commissioning in respect of SEND and AP and on arrangements for paying top-up for EHCPs.

No resolution was reached on this matter in the meeting. It was recognised that further discussion is needed and would be helpful, including with reference to the DfE's guidance on the remit of the Schools Forum in relation to high needs funding.

Resolved –

That the information provided be noted.

497. IMPLICATIONS - COVID-19 (DISCUSSION CONTINUED FROM JULY 2020)

The Business Advisor (Schools) presented Document LV. He explained that this is a follow on report from that presented in July, which focuses on providing an update on the matters that we identified are important to monitor. He also highlighted in summary the adjustments that the Authority has made to funding arrangements for early years entitlement delivery in the autumn term following the DfE's guidance.

Members made a number of comments in response to this report, focusing in particular on the cost implications of re-opening schools and hygiene and social distancing measures and the need for the DfE to respond to provide additional financial support on an on-going basis:

- Some reimbursements from the DfE's exceptional fund scheme for the summer term have not yet been released and are subject to closer scrutiny (where schools have either used the 'other costs' category or have exceeded their thresholds for claims). It is unclear when the second window will open for claiming further exceptional funding for summer term costs.
- Schools and academies must ensure that they have clear financial decision making and reporting to ensure that the COVID-19 catch up funds are ring-fenced for this purpose.
- Schools in older buildings with multiple entrances especially are now required to manage their entrances more closely. This is resulting in significant additional on-going cost. The member that raised this issue gave the example of his school, where this has already cost in the region of £20,000.
- Financial support will be required for schools, especially where COVID-19 cases increase, to ensure that vulnerable staff remain protected.
- School appeals are being held later than they normally would and it is likely that a large number of appeals will not be completed before the October 2020 census is taken. Is it possible to adjust 2021/22 formula funding to

transfer AWPU funding to the school that admits the pupil on appeal after the census? The Business Advisor responded that the normal regulations are quite restrictive in this area but that he would approach the ESFA to ask what flexibility might be available.

- The Deputy Director, Education and Learning, repeated her request made under 'matters raised by schools' that colleagues continue to email her their issues, examples and concerns so that these can be communicated to the DfE.

Resolved –

- (1) That the information provided be noted.**
- (2) That the ESFA be asked whether options are available to adjust 2021/22 formula funding allocations to recognise that pupils may be placed in primary and secondary schools and academies following appeals concluded after the October Census is taken.**
- (3) That the Forum continues to receive regular updates, in particular on matters affecting the budgets of schools, academies and other providers, and the status of national-level financial support schemes.**

LEAD/CONTACT OFFICER: Business Advisor, Schools

498. NATIONAL FUNDING FORMULA - UPDATE

The Business Advisor (Schools) presented **Documents LW Appendix 1 and Appendix 2**, which summarise the announcements over the summer on 2021/22 DSG formula funding arrangements and the main implications for Bradford. In particular, the Business Advisor emphasised that the Early Years Block settlement is still to be announced (and the position of the funding of maintained nursery schools after August 2021 is still unclear).

Forum members did not ask any questions and did not have any comments on this information.

Resolved –

That the information presented be noted.

499. OUTLINE - FORMULA FUNDING ARRANGEMENTS & CONSULTATIONS 2021/22

The Business Advisor (Schools) presented **Document LX**. He explained that the purpose of this report is to 'warm the Forum up' to key formula funding proposals that are likely to be put forward for 2021/22 in response to the DfE's summer announcements. The Authority currently plans to follow the timetable / approach to consultations that has worked well in previous years, but this is subject to the DfE announcing in good time the Early Years Block and final High Needs Block

arrangements. On the assumption that the DfE does shortly announce these, the Authority anticipates presenting all formula funding proposals for 2021/22 to the Schools Forum on 14 October.

The Business Advisor reminded members of their opportunity to attend a Formula Funding Working Group meeting to discuss the Schools Block proposals in more detail. He also asked for expressions of interest to attend an Early Years Working Group meeting.

Forum members did not ask any questions and did not have any comments on this report.

Resolved –

That the information presented be noted.

500. WORK PROGRAMME AND SCHEDULE OF MEETINGS 2020/21 ACADEMIC YEAR

The Business Advisor (Schools) presented **Document LY**, which is the Forum's scheduled of meetings and planned business for the 2020/21 academic year.

Forum members did not have any comments and did not ask any questions.

No resolutions were passed on this item.

501. SCHOOLS FORUM STANDING ITEMS

No further information was presented.

No resolutions were passed on this item.

502. AOB / FUTURE AGENDA ITEMS

The Chair reported that she has been approached by a CEO of a primary-phase Multi Academy Trust about possible membership of the Schools Forum. An academies member also suggested that academies should consider whether they broaden their members to include trustees.

That the relevant groups are contacted about academy membership vacancies (in response to an inquiry to the Chair about possible new Forum membership).

LEAD/CONTACT OFFICER: Business Advisor, Schools

503. DATE OF NEXT MEETING

Please see the published schedule of meetings. The next scheduled meeting is

14 October 2020.

Please see the published schedule of meetings – the next Forum meeting is scheduled for Wednesday 14 October 2020.

504. EXCLUSION OF THE PUBLIC

Note: The Schools Forum was asked to consider if the agenda item relating to the funding of health services in schools should be considered in the absence of the public and, if so, to approve the following recommendation:

Resolved –

That the public be excluded from the meeting during the discussion of the following item (item *14) on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if they were present exempt information within Paragraph 5 of Schedule 12A of the Local Government Act 1972 (as amended) would be disclosed and it is considered that, in all the circumstances, the public interest in allowing the public to remain is outweighed by the public interest in excluding public access to the relevant part of the proceedings for the following reason: legal privilege."

LEAD/CONTACT OFFICER: Business Advisor, Schools

505. FUNDING HEALTH SERVICES IN SCHOOLS

Resolved –

A confidential resolution was agreed at the meeting.

Note: This resolution is exempt information under Paragraph 5 of Schedule 12A of the Local Government Act 1972 (as amended).

LEAD/CONTACT OFFICER: Business Advisor, Schools

Chair

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