

Note: These minutes are subject to approval as a correct record at the next meeting of the Schools Forum on 13 January 2021

Schools Forum meeting held remotely on Wednesday 9 December 2020

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

https://bradford.public-i.tv/core/portal/webcast_interactive/532570

**Commenced 0805, Adjourned 1000
Reconvened 1005, Concluded 1110**

PRESENT

School Members

Ashley Reed, Brent Fitzpatrick, Bryan Harrison, Carol Dewhirst, Dianne Richardson, Dominic Wall, Emma Hamer, Graham Swinbourne, Helen Williams, Ian Morrel, Kevin Holland, Nicky Kilvington, Nigel Cooper, Sian Hudson, and Wahid Zaman.

Non School Members

Ian Murch and Tom Bright.

Substitutes

Amanda Slaney (in place of Sir Nick Weller).

DIANNE RICHARDSON IN THE CHAIR

Local Authority Officers

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

Observers

Councillor David Ward
Michael Thorp

Apologies

Alison Kaye, Donna Willoughby, Sir Nick Weller, Sue Haithwaite, Tehmina Hashmi and Trevor Loft.

517 **DISCLOSURES OF INTEREST**

The following disclosures of interests were received –

- Helen Williams, Ian Morrell and Brent Fitzpatrick disclosed their interests for agenda item 5 “Standing Item - DSG Schools Block Growth Fund Allocations” (minute 502).
- Emma Hamer disclosed interests for agenda item 5 “Standing Item - DSG Schools Block Growth Fund Allocations” (minute 502) and agenda item 8 “Consultation Outcomes and Other Matters – High Needs 2021/22” (minute 508).

ACTION: *City Solicitor*

518 **MINUTES OF 14 OCTOBER 2020 & MATTERS ARISING**

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

- **Item 492 (Schools Block consultation)** – the consultation document was published on 14 October and the consultation period closed on 1 December. This is presented back to the Forum under agenda item 9.
- **Item 493 (Early Years Block consultation)** – a consultation has not yet taken place and this is discussed further under agenda item 10.
- **Item 494 (High Needs Block consultation)** – the consultation document was published on 14 October and the consultation period closed on 1 December. This is presented back to the Forum under agenda item 11.
- **Forum Membership** – Referring to recent conversations e.g. with the Secondary CEOs Group, the Business Advisor reported that the Authority recommends that review takes place, at an appropriate time in the new year, with the aims of resetting and refreshing the Forum’s membership arrangements and of strengthening our processes for the convening of membership.

Resolved –

- (1) **That progress made on “Action” items and Matters Arising be noted.**
- (2) **That subject to the attendance of Alison Kaye be included as attended, the minutes of the meeting held on 14 October 2020 be signed as a correct record.**

519 **MATTERS RAISED BY SCHOOLS**

No information was presented.

No resolutions were passed on this item.

520 **STANDING ITEM - DSG SCHOOLS BLOCK GROWTH FUND ALLOCATIONS**

The Business Advisor (Schools) presented **Document MF**, which asked the Forum to agree allocations to 12 maintained secondary schools and secondary academies from the 2020/21 Schools Block Growth Fund.

A Member asked for clarification on the value of the carry forward balance that is forecasted to be held within the Growth Fund at the end of this financial year. The Business Advisor clarified that a total balance of £1.385m is currently forecasted, with £0.597m of this held in respect of the main Growth Fund and £0.788m being the balance remaining from the budget set aside for the cost of the specific support agreement for Beckfoot Upper Heaton Academy, which has one more year to run.

The Vice Chair asked for further information on how SEND (EHCP) funding is allocated following pupil growth (the processes the Authority has in place for the allocation of SEND (EHCP) funding in response to growth without lag). The Vice Chair requested that further consideration is given to these processes.

Forum members approved the 12 allocations presented.

Resolved –

- (1) The Schools Forum agreed to allocate a total of £767,028 from the Growth Fund in 2020/21 to maintained secondary schools and secondary academies as set out in Document MF.**
- (2) Members noted that an indicative total sum of £1,385,575 of surplus balance of Growth Fund is ring-fenced and is forecasted to be carried forward into 2021/22 and that the Forum will be asked to consider the allocation and / or retention of this balance at the meeting on 13 January.**
- (3) That further consideration is given to the processes the Authority has in place to support the allocation of SEND (EHCP) funding in response to growth without lag.**

LEAD / ACTION: *Business Advisor, Schools*

521 **IMPLICATIONS - COVID-19 (DISCUSSION CONTINUED)**

The Business Advisor (Schools) presented **Document MG**, which followed from the information previously presented to the Schools Forum, in July and September, to give an update on the financial implications of COVID-19 for the DSG and schools, academies and other providers.

The report also explained to the Forum the difficulties the Authority currently has with presenting proposed arrangements for the operation of our Early Years Single Funding Formula (EYSFF) in the spring term 2021 and for protection that may be required in response to 'lower than normal' entitlement delivery. The

report presented information on the cost of protection so far this year, which evidences that continued protection may represent a significant further call on Early Years Block reserves. The Business Advisor explained that the DfE's announcements on spring term, as well as on the 2021/22 Early Years Block settlement, have not yet been made. These announcements are anticipated to be made next week. The Business Advisor stated that the Authority is seeking to convene the Early Years Working Group before the Christmas break with the aim of discussing options so that we can be in a position to put forward a recommendation to the Forum on 13 January.

Members made a number of comments in response to Document MG:

- Children in early years have been substantially affected by the COVID-19 situation from the perspective of their school readiness. The Authority and schools must continue to closely consider and monitor the support that is in place to help this cohort as it progresses through school.
- The position of pay awards in 2021/22, following the Chancellor's announcement of a pay award 'pause', is more complicated than the Chancellor's announcement suggests. For example, there are in place separate pay bargaining processes. How a pay pause for teachers in 2021 affects the Government's previously stated intention, and the timing, of change to increase main pay scale salaries in support of the early career framework and teacher recruitment is also uncertain. This will give schools difficulties in their financial planning.
- The Vice Chair referred to a recent meeting with Children's Commissioner, in which the Commissioner stated that she wishes local authorities and schools to provide information on the additional substantial costs that are being incurred by schools in their COVID-19 management, so that representations can be made to appropriate organisations. The Forum agreed that a letter should be sent to the Children's Commissioner from the Chair and Vice Chair of the Forum, which provides the Commissioner with a representative picture of the financial impact of COVID-19 management on schools in the Bradford District.
- A Governor member added that representations to the DfE on the issue of costs in schools are being made by the National Governors Association.

Resolved –

- (1) The Schools Forum noted the information provided in Document MG.**
- (2) The Schools Forum noted that the Early Years Working Group is being convened and it is anticipated that the options / proposals for our approach to early years entitlement funding in the spring term 2021 will be presented to the Forum on 13 January.**
- (3) That a letter is sent to the Children's Commissioner from the Chair and Vice Chair of the Schools Forum.**

LEAD / ACTION: Business Advisor, Schools

522 **2020/21 DSG SPENDING AND CARRY FORWARD BALANCES FORECAST**

The Business Advisor (Schools) presented a report, **Document MH**, which updated Members on the forecasted spending positions of each of the DSG Blocks against the 2020/21 planned budget. This document also gave Members a view of the estimated values of balances to be carried forward into 2021/22 and of the uses of these balances.

Members asked some questions in response to Document MH:

- Whether the balance held within the Schools Block could be allocated in support of COVID-19 costs. The Business Advisor responded to advise that the permission of the Secretary of State would be needed to allocate Schools Block funding in a way that was not through our agreed funding formula. It is possible to request this permission but the process would not be as straightforward as simply agreeing locally to do this. There are other regulatory constraints that would also need to be considered. The Forum will be asked to formally consider the allocation and / or retention of balances on 13 January.
- How the currently estimated £568k under spend in the 2021/22 Schools Block is split between primary and secondary phases. The Business Advisor responded that this is roughly split 50/50 between primary and secondary (unlike the under spend of £540k in 2020/21, which was all attached to the primary phase). However, as the report explains, the position of the Schools Block is expected to change once the October 2020 Census dataset is used. The updated position will be presented to the Forum on 13 January.
- What is the position of District PRU in respect of whether the budget now in the spending forecast up to March 2021 will continue from April 2021. The Deputy Director, Education and Learning, responded that the Authority has recently received confirmation from the DfE that the PRU's academy order has been revoked. The PRU's staff have been informed of this. The DfE's confirmation letter included instruction to the Authority to consider the PRU's viability. This instruction is currently under consideration and the Authority has set a deadline of 31 March 2021 for a final decision to be taken. The PRU's staff have been informed of this and further communication will take place in January. The Authority would look to the High Needs Block to fund the PRU from 1 April 2021 if the decision is that the PRU continues.

Resolved –

Members noted the information presented in Document MH and did not ask for further information to be provided to support final recommendations to be made on 13 January.

LEAD: Business Advisor, Schools

523 **2021/22 DSG UPDATE**

The Business Advisor (Schools) presented a report, **Document MI**, which provided a summary-level indicative forecast of the DSG income / expenditure position for the 2021/22 financial year.

Forum Members did not ask any questions on this report and did not ask for further information.

Resolved –

Members noted the information presented in Document MI and did not ask for further information to be provided to support final recommendations to be made on 13 January.

LEAD: *Business Advisor, Schools*

524 **CONSULTATION OUTCOMES - SCHOOLS BLOCK FORMULAE 2021/22**

The Business Advisor (Schools) presented a report, **Document MJ**, which asked Members to consider the outcomes of the consultation on our 2021/22 Schools Block formula funding and Schools Block centrally managed funds.

Forum Members did not ask any questions on this report and did not ask for further information.

Resolved –

Members noted the information and consultation responses presented in Document MJ and did not ask for further information to be provided to support final recommendations to be made on 13 January.

LEAD: *Business Advisor, Schools*

525 **EARLY YEARS BLOCK SETTLEMENT & SINGLE FUNDING FORMULA 2021/22**

The Business Advisor (Schools) presented a report, **Document MK**, which outlined what is currently known about the 2021/22 Early Years Block settlement, what decisions the Authority has taken in recent years in respect of early years entitlement funding and what our proposals for 2021/22 may look like should the DfE's settlement and operational guidance be similar to those in the current financial year.

The Business Advisor explained that, due to how late the 2021/22 Early Years Block settlement and operational guidance will have been published, we have not yet engaged in formal consultation with the early years sector. The Authority will work with the Early Years Working Group (EYWG) to publish our proposals as soon as possible and an update will be provided to the Forum on 13 January.

Forum Members did not ask any questions on this report and did not ask for further information.

Resolved –

- (1) **The Forum noted the information provided in Document MK.**
- (2) **Members also noted that the Authority, following discussion with the EWYG, will publish a consultation document as soon as possible but with this consultation extending beyond the 13 January Schools Forum meeting. Members noted that our Early Years Block decision making will need to adjust for this. The Authority anticipates presenting to the Forum on 13 January a planned Early Years Block budget for 2021/22 that is based on assumptions and estimates that are made prior to the conclusion of the consultation.**

LEAD: *Business Advisor, Schools*

526 **CONSULTATION OUTCOMES & OTHER MATTERS - HIGH NEEDS 2021/22**

The Business Advisor (Schools) introduced the report, **Document ML**.

This report firstly asked Forum Members to consider the outcomes of the consultation on the 2021/22 High Needs Funding Model. In discussing the consultation feedback, the Business Advisor presented verbally in more detail the response that has been received from the BD3 LAP, explaining that this response is reflective of elements of a view that has been present in wider conversations about SEND funding with different schools and groups (feedback requesting clearer guidance on the criteria used by Panel to apply the Banded Model and on how the stacking facility is accessed; feedback on the sufficiency of SEND funding and on the pressure that is placed on mainstream settings from the under funding of individual pupils that are assessed by schools to require one to one provision when the Banded Model uses a provision matrix approach; feedback asking how the Authority is working to develop a sufficient number of specialist places in order to reduce the pressure that is coming into mainstream settings from the growing complexity of pupils' needs). Members did not have any comments on this feedback.

The statement on high needs places sufficiency (Document ML Appendix 1) was presented by the Strategic Manager, Sufficiency and Intelligence. This statement was welcomed by Members. It provides a detailed work through and summary of demographic SEND trends and confirms for the Forum the continued need to create new specialist places on an on-going basis. The statement also highlights (as a good news story) how many additional places have already been created (+700). An academies member representing special schools / academies welcomed the clear confirmation that the statement provides of the need to continue to create places. He added however, that the District Achievement Partnership's view is that current special school capacity is now at its maximum. Therefore, the Authority does need to consider carefully how additional special school places are to be created and this does bring the sufficiency of capital

funding into view. The Strategic Manager in response explained that the Council's budget proposals for 2021/22, which are currently out for consultation, include a £6m SEND places capital budget (£2m a year for the next 3 years). The Strategic Manager also stated that she is hopeful that capital announcements to be made by the DfE in the new year will be positive for the Bradford District.

In the third part of the report, the Business Advisor presented for initial consideration the current cost to the High Needs Block of placements in independent provisions and in non-maintained special schools. The report also presented information on how our % of population in these provisions has changed over time and how this compares with other authorities. He explained that this information is presented to highlight a spend area within the High Needs Block that the Forum should closely consider with the Authority going forward. Spending on independent and NMSS placements will form part of the Authority's holistic DSG Management Plan, which will be initially presented on 13 January. The Business Advisor also explained that the monitoring and consideration of spending in this area will contribute to the continuation of discussions that have been had recently with the Schools Forum about the funding of continuing care costs in schools and the of respective financial responsibilities that exist between education and health. An academies member representing special schools / academies emphasised the importance of this issue, highlighting that there is a national problem (a lack of clarity and a regulatory inconsistency) with regards to the definition of the legitimate use of education funding for health-related costs. He stated that this national issue is present in how financial responsibilities for the health-related costs of pupils (whilst they are in an education setting) have been defined by the CCGs in Bradford.

Resolved –

Members noted the information and consultation responses presented in Document ML and did not ask for further information to be provided to support final recommendations to be made on 13 January.

527

INDICATIVE BUDGETS 2021/22 PRIMARY & SECONDARY SCHOOLS AND ACADEMIES

The Business Advisor (Schools) presented a report, **Document MM**, which provided Members with updated indicative modelling of mainstream Primary & Secondary formula funding delegated budget shares for 2021/22, using the pupil numbers taken from the October 2020 Census. He explained that this modelling is tabled only for information at this stage, prior to asking Members to make final recommendations on 13 January.

Forum Members did not ask any questions on this report and did not ask for further information.

Resolved –

The Forum noted the Primary and Secondary modelling information presented in Document MM and did not ask for further information to be provided to support final recommendations to be made on 13 January.

LEAD: *Business Advisor, Schools*

528 **CENTRAL SCHOOLS SERVICES, EARLY YEARS & SCHOOLS BLOCK FUNDS**

The Business Advisor (Schools) presented a follow up report, **Document MN**, which asked Forum Members to further consider the position of the funding of Schools, Central Schools Services and Early Years Block central and de-delegated items in 2021/22, following the initial discussion had in the meeting of 14 October 2020.

Forum Members did not ask any questions on this report and did not ask for further information. It was clarified that the proposed 5% reduction in the charge for access to trade union facilities time in 2021/22 will be applied to both the main facilities time and the health and safety time charges.

Resolved –

The Forum noted the information presented in Document MN and did not ask for further information to be provided to support final recommendations to be made on 13 January.

LEAD: *Business Advisor, Schools*

529 **SCHOOLS FORUM STANDING ITEMS**

The Chair reported that 7 maintained schools have converted to academy in the autumn term (all of these being primary schools).

Nigel Cooper (a representative of maintained primary school headteachers) informed Members that he is resigning from the Schools Forum. He explained the reasons for this and expressed his appreciation of Forum Members and of the Business Advisor (Schools). On behalf of Members, the Chair responded to thank Nigel for his commitment to the Forum over a number of years and for his contribution to the Forum's work and discussions during what has been a very challenging period.

No resolutions was passed on this item.

530 **ANY OTHER BUSINESS / FUTURE AGENDA ITEMS**

No AOB items were raised.

No resolutions was passed on this item.

531 **DATE OF NEXT MEETING**

Please see the published schedule of meetings. The next scheduled meeting is 13 January 2021.

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Chair

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