

**Schools Forum**  
**Wednesday, 7 July 2021 at 0800**

**VENUE:** <https://bradford.public-i.tv/core/portal/home>

**PLEASE NOTE**

All meetings will be held in public; the agenda, decision list and minutes will be publicly available on the Council's website and Committee Secretariat, Room 112, City Hall, Bradford.

The taking of photographs, filming and sound recording of the meeting is allowed except if Councillors vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings is advised to liaise with the Forum Clerk Asad Shah - 01274 432280 who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions should be aware that they may be filmed or sound recorded

**1. APOLOGIES FOR ABSENCE**

The City Solicitor will report the names of alternate Members who are attending the meeting in place of appointed Members.

**2. DISCLOSURES OF INTEREST**

To receive disclosures of interests from Members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it only becomes apparent to the member during the meeting.

**3. MINUTES OF 10 MARCH 2021 & MATTERS ARISING**

1 - 8

That the minutes of the meeting held on 10 March 2021 be signed as a correct record.

**4. MATTERS RAISED BY SCHOOLS**

Members will be asked to consider any issues raised by schools.

**5. STANDING ITEM - DSG SCHOOLS BLOCK GROWTH FUND ALLOCATIONS (a)**

There are no allocations for consideration at this meeting.

**6. SCHOOLS FORUM MEETINGS FROM SEPTEMBER 2021 (a)**

Members are asked to consider how the Schools Forum should meet from the start of the new academic year – whether to continue to meet remotely or whether to return to meetings ‘in attendance’. The Schools Forum Regulations have been amended to permit the Forum to meet remotely on an on-going basis. However, where this happens, the Authority must take steps to ensure that anyone without remote access is still able to access the meeting.

**Recommended –**

**Members are asked to give their views on how the Schools Forum should meet from the start of the new academic year.**

(Andrew Redding – 01274 432678)

**7. SCHOOLS FORUM MEMBERSHIP - CHAIR AND VICE CHAIR (a)**

Members will be asked to approve the proposed approach to the election of the Chair and Vice Chair of the Schools Forum for the 2021/22 academic year.

(Andrew Redding – 01274 432678)

**8. SCHOOLS FORUM MEMBERSHIP (a)**

9 - 24

The Business Advisor (Schools) will present a report, **Document MZ**, which provides an update on the Forum’s membership and composition. This report also presents the annual update of the Forum’s Conduct of Meeting and Procedures document (Appendix 2). Forum Members are asked to consider and to approve Appendix 2.

**Recommended –**

**(1) The Schools Forum is asked to consider and to note the information provided.**

**(2) The Forum is asked to approve Appendix 2 (Forum Conduct of Meetings and Procedures) for the 2021/22 academic year.**

(Andrew Redding – 01274 432678)

**9. DEDICATED SCHOOLS GRANT OUTTURN (BALANCES) 2020/21 (a)** 25 - 30

The Business Advisor (Schools) will present a report, **Document NA**, which provides the initial confirmation of carry forward balances held within the Dedicated Schools Grant at the close of the 2020/21 financial year.

**Recommended –**

**(1) The Schools Forum is asked to note the information presented.**

**(2) The Schools Forum is asked to approve the transfer of £0.078m to the Central Schools Services Block (CSSB) of surplus balance held within the Schools Block in order to write off the deficit balance held within the CSSB at 31 March 2021.**

(Andrew Redding – 01274 432678)

**10. MAINTAINED SCHOOLS' OUTTURN (REVENUE BALANCES) 2020/21 (i)** 31 - 34

The Business Advisor (Schools) will present a report, **Document NB**, which provides an overview of the position of revenue balances held by maintained schools at 31 March 2021.

**Recommended –**

**The Schools Forum is asked to note the information provided.**

(Andrew Redding – 01274 432678)

**11. REVIEW OF SPEECH AND LANGUAGE THERAPY FUNDED BY THE HNB (a)** 35 - 40

The Strategic Commissioning Manager will present a report, **Document NC**, which asks the School Forum for its feedback on the review of, and proposed changes to, the Speech and Language Therapy provisions funded through the High Needs Block from

September 2021.

**Recommended –**

**The Schools Forum is asked for its feedback on the proposals presented for the review of Speech and Language Therapy provisions funded through the High Needs Block from September 2021.**

(Mary Ryan – 01274 432633)

**12. MATTERS CONCERNING THE EARLY YEARS BLOCK (a)**

41 - 46

The Business Advisor (Schools) will present a report, **Document ND**, which provides an update on matters relating to the Early Years Block. This report, in particular, includes a response to the action recorded from the 10 March Forum meeting, that a report be presented to enable the Schools Forum to analyse the impact of the COVID-19 situation on early years entitlement funding in schools in the spring term 2021, from which the Forum will be asked to further consider the request submitted by a Forum Member for the Local Authority to protect the early years entitlement funding in schools that restricted attendance.

The Forum is asked to consider the Authority's proposed response to this request, as set out in **Document ND**.

**Recommended –**

**(1) The Schools Forum is asked to note the information presented.**

**(2) The Forum is asked to provide feedback on the Authority's proposed response, as set out in Document ND, to the request to protect the spring term 2021 early years entitlement funding of schools that restricted attendance.**

(Andrew Redding – 01274 432678)

**13. DFE ANNOUNCEMENTS, CONSULTATIONS & IMPLICATIONS FOR THE DSG (i)**

The Business Advisor (Schools) will update the Schools Forum verbally on any key announcements that have been made prior to the meeting concerning the Dedicated Schools Grant and wider formula funding arrangements.

The Authority anticipated that key initial announcements (especially on the outcomes of the national SEND and Alternative Provision reviews) would have been made prior to the Forum's meeting, and in time for a

written report to be presented. Subject to these announcement being made, and their timing, it is now anticipated that a report will be presented to the Forum in September.

**Recommended –**

**The Schools Forum is asked to note the information provided.**

(Andrew Redding – 01274 432678)

**14. FORMULA FUNDING DEVELOPMENT 2022/23 (i)**

47 - 50

The Business Advisor (Schools) will present a report, **Document NE**, which provides an overview / introduction to local formula funding review priorities for 2022/23.

**Recommended –**

- (1) The Schools Forum is asked to consider and to note the information provided.**
- (2) Forum Members are invited to (remotely) attend a ‘Formula Funding Working Group’ session, on Tuesday 28 September (8am) or Wednesday 29 September (8am) or Tuesday 5 October (8am). As in previous years, these sessions will enable Forum Members to consider in more detail the impact of national formula funding decisions and to explore and guide the proposals for 2022/23 for Bradford’s Schools and High Needs Block formula funding arrangements that are anticipated will be set out for consultation in October.**

(Andrew Redding – 01274 432678)

**15. SCHOOLS FORUM STANDING ITEMS (i)**

Updates on the following Forum standing items will be provided verbally where these have not been covered within other agenda items:

- Schools Forum membership
- Update from the High Needs Block Steering Group
- Update from the Schools Financial Performance Group (SFPG)
- Update on School / Academy Budgets
- Update from the Early Years Working Group (EYWG)
- Update from the Formula Funding Working Group (FFWG)
- Update on Primary School Places
- Update on Academies & Free Schools

**The Forum is asked to note the information provided.**

(Andrew Redding – 01274 432678)

## 16. AOB / FUTURE AGENDA ITEMS

Members will be asked for any additional items of business, for consideration at a future meeting.

## 17. DATE OF NEXT MEETING

The next Forum meeting is planned for Wednesday 15 September 2021.

Please note that the planned dates of meetings for the 2021/22 academic year in full are as follows:

- Wednesday 15 September 2021, 8am
- Wednesday 13 October 2021, 8am
- Wednesday 8 December 2021, 8am
- Wednesday 12 January 2022, 8am
- Wednesday 19 January 2022, 8am PROVISIONAL MEETING
- Wednesday 9 March 2022, 8am
- Wednesday 18 May 2022, 8am
- Wednesday 6 July 2022, 8am

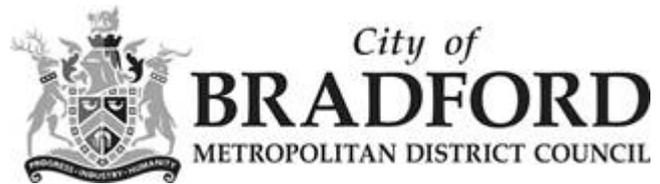
*(a) Denotes an item for action (including where a formal view or recommendation is required).  
(i) Denotes an item for information.*

### Signposting of High Needs Information

As per the schedule presented on 14 October 2020, “Forum members are expected to access ‘outside of the Forum meetings’ wider SEND information that is presented to other groups and that is already published, including information presented to the SEND Partnership. The Authority will signpost this information (webpage links) for Forum members at the bottom of agendas.”

- SEND Partnership Board (minutes of meetings):

<https://localoffer.bradford.gov.uk/coproduction--feedback/send-strategic-partnership-board->



**Note: These minutes are subject to approval as a correct record at the next meeting of the Schools Forum on 19 May 2021**

## **Schools Forum meeting held remotely on Wednesday 10 March 2021**

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

[https://bradford.public-i.tv/core/portal/webcast\\_interactive/534537](https://bradford.public-i.tv/core/portal/webcast_interactive/534537)

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Commenced 0805, Adjourned 0910  
Reconvened 0920, Concluded 1020

### **PRESENT**

#### **School Members**

Ashley Reed, Brent Fitzpatrick, Bryan Harrison, Carol Dewhurst, Dianne Richardson, Dominic Wall, Graham Swinbourne, Helen Williams, Kevin Holland, Nicky Kilvington, Sian Hudson, Sue Haithwaite, Tehmina Hashmi, Trevor Loft and Wahid Zaman

#### **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
Jonty Holden	Principal Finance Officer – Schools
Marium Haque	Deputy Director, Education and Learning
Raj Singh	Business Advisor

#### **Observers**

Councillors Pollard and Ward  
Mathew Atkinson (Headteacher, Westbourne Primary School)

#### **Apologies**

Alison Kaye, Ian Morrel

### **545. DISCLOSURES OF INTEREST**

No declarations of interests were received.

**ACTION:** *City Solicitor*

## **546. MINUTES OF 13 JANUARY 2021 AND MATTERS ARISING**

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

- **Item 539 (Early Years Consultation):** This is picked up under agenda item 8.
- **Item 542 (DSG recommendations):** The recommendations on the allocation of the 2021/22 DSG were approved un-amended by Council on 18 February and are now being rolled out. An update on DSG matters is provided under agenda item 8.
- **Previous Meeting Action:** The minutes of the 9 December 2020 record, “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”. This was a matter raised by the Vice Chair. The Business Advisor reported that he has discussed this matter directly with the Vice Chair, who clarified that this request relates to the management and resolution of inaccuracies and disputes in EHCP funding decisions, especially where there are changes in EHCPs during the year. The Authority has now published a simple ‘protocol’, which explains how the Authority publishes EHCP information monthly for settings to check and then how the Authority approaches the resolution of EHCP data inaccuracies and disputes. This protocol has been published on Bradford Schools Online.
- **Previous Meeting Action:** The minutes of the 9 December 2020 record, “that a letter is sent to the Children’s Commissioner from the Chair and Vice Chair of the Schools Forum”, regarding the financial impact of COVID-19 on schools. The Business Advisor explained that, due to the fluidity of the position in spring term and also due to the transition in the Children’s Commissioner, it is felt that this letter’s value will be increased where it can include information regarding spring term lockdown implications and also where it can be addressed to the new rather than to the outgoing Commissioner.

### **Resolved –**

- (1) **That progress made on “Action” items and Matters Arising be noted.**
- (2) **That the minutes of the meeting held on 13 January 2021 be signed as a correct record.**

## **547. MATTERS RAISED BY SCHOOLS**

The matter raised by a Forum Member (concerning early years entitlement funding for schools that partially closed in the spring term 2021) was considered and is recorded under agenda item 8 (Matters Concerning the Dedicated Schools Grant).

## **548. STANDING ITEM – DSG GROWTH FUND ALLOCATIONS**

No allocations were presented.

**No resolutions were passed on this item.**

## **549. SCHOOLS BLOCK FALLING ROLLS FUND ALLOCATIONS 2020/21**

The Principal Finance Officer presented **Document MV**, which provided an update for the Schools Forum on the application in the 2020/21 financial year of the Schools Block Falling Rolls Fund (FRF) for mainstream primary phase maintained schools and mainstream primary phase academies.

The Principal Finance Officer explained that 36 primary schools / academies are eligible for FRF under trigger 2 (where their number on roll at October 2019 was not at least 90% of their Published Admission Number (PAN) capacity). However, all of these 36 schools / academies do not comply with trigger 4, meaning that the Authority's latest pupil numbers forecast does not show that their surplus capacities are needed within 3 years. A number of the 36 are also ineligible following the application of other triggers. As a result, there are no allocations from the FRF in 2020/21 and the full balance of £0.50m within the Schools Block is carried forward into 2021/22 as a ring-fenced sum.

Two Forum Members asked whether primary schools / academies will ever be eligible for FRF monies going forward, recognising the limited circumstances in which this fund can be allocated. A Member questioned whether the £0.50m now held within the Schools Block should be recycled for other purposes. The Business Advisor responded that the FRF is in place for 2021/22 (as it was one of the recommendations made by the Schools Forum on 13 January) but he agreed that it would be helpful for the Forum's subgroup to meet to discuss the on-going position of this fund and to make recommendations back to the Forum for the 2022/23 financial year. The Forum agreed this, adding that the subgroup should also look at the implications for the secondary phase as the reduction in pupil numbers currently moving through the primary phase will impact on secondary schools / academies in the future.

### **Resolved –**

- (1) The Schools Forum notes that there are no allocations from the Schools Block Falling Rolls Fund for the 2020/21 financial year.**
- (2) The sum of £500,000 unspent within the Schools Block be carried forward into 2021/22 as a ring-fenced sum.**
- (3) The Forum's sub-group be re-convened to consider further the on-going position of the Falling Rolls Fund.**

## **550. SEND 2019/20 EXCLUSIONS REPORT**

The Strategic Manager, Integrated Assessment, presented **Document MW**, which was the 2019/20 academic year Exclusions Report. This report was presented as per the High Needs Block schedule of information agreed with the Schools Forum on 14 October 2020.

In response to the report, a Forum Member asked for confirmation on the position of 90 places at Park PRU, recognising that occupancy is currently 54. The Deputy Director, Education and Learning, explained that 90 is a planned expanded number, currently in development.

A Member asked how the Authority analyses the exclusions data, to identify what factors

are driving the current increase in permanent exclusions, and what actions are being taken in response to this analysis. Supporting this question, the Chair asked where this report is published and which groups scrutinise it. The Strategic Manager confirmed that the report will be published on Bradford Schools Online and that it is scrutinised by the Children's Services Scrutiny Committee. It was agreed that the Behaviour Provision Group is well placed to scrutinise the report and to further analyse the exclusions data. The Chair asked if this report could be presented to this group's meeting next week. The Deputy Director responded that the agenda for this meeting is already quite full but she will seek to add it.

**Resolved – That the information provided in the report be noted.**

## **551. MATTERS CONCERNING THE DEDICATED SCHOOLS GRANT**

The Business Advisor (Schools) presented **Document MX**, which provided an update on a number of matters relating to the Dedicated Schools Grant.

The Business Advisor updated the Forum quickly on a number of smaller matters recorded in the report and then drew the Forum's attention to significant updates in 3 areas.

### The DfE's Consultation on the High Needs Block NFF

The Schools Forum was asked for its view on the DfE's consultation on proposed amendments to the High Needs Block National Funding Formula for 2022/23 and on the signalling of further changes to come. The Forum was asked to consider whether it wishes to support the Authority's response or to submit its own response to this consultation. The Authority's response was presented at Appendix 3. Forum Members resolved to agree and to support the Authority's response.

### Spring Term 2021 EYSFF

Document MX included an explanation of the current position, and difficulties, regarding the application of the Early Years Single Funding Formula for the spring term 2021 and the completion of the January Census with reference to the DfE's guidance.

Following the Business Advisor's introduction, the Member representing maintained primary schools was invited to raise his question, which was submitted to the Chair prior to the meeting. The Member asked whether the Local Authority will financially support any shortfalls in funding that might be incurred by those schools who only partially opened their nursery provision in the spring term to ensure safe operating procedures and to reduce risk. The Member stated that the Authority has said that it will do all it can to support schools manage the COVID-19 situation. The Authority, with the Schools Forum, in previous years has supported schools financially in different ways in different circumstances. The Member requested that the Authority now provides financial support in this circumstance.

In response, the Business Advisor recognised that this is a matter that the Authority expects the Forum to monitor and to consider. He explained that there are number of complicated considerations, including those related to fairness and equity, and that he would expect that the Authority, with the Schools Forum, would form its view on this request having had sight of the full financial impact on schools and with a full understanding of the knock-on consequences. The Business Advisor suggested that the Forum resolves at this meeting to schedule this matter for further detailed consideration in May or in July (the timing being dependent on when the data is available to enable full

consideration).

### DfE's High Needs Block Operational Guidance – Annex 3

The Business Advisor reported that a new Annex 3 was published in February 2021, which updates the DfE's national High Needs Block Operational Guidance for local authorities. This Annex 3 provides a clear statement, for the first time within finance guidance, of the responsibilities that are placed on the High Needs Block, limited to education. He reminded the Forum that the funding of continuing care health services for children and young people with EHCPs in schools, from education budgets, has been a matter considered regularly by the Schools Forum since July 2019.

The Chair invited Members to comment on this new guidance. The representative of special school academies, who originally raised this matter with the Forum, gave a summary of the discussions that have taken place in the background with the DfE in the build up to this publication. He suggested that Annex 3 gives a strong indication of the direction of travel that the impending national SEND review will take. He also stated that the new Annex 3 immediately raises 2 key DSG-related questions for close consideration a) are our joint commissioning arrangements compliant with this guidance (in how costs are apportioned) and b) are our EHCPs being written in line with this guidance and in line with Code of Practice so that non-education continuing care needs are written into section G. He stated that it is typical for children and young people not to have health needs described in section G, so the correct distribution of financial responsibilities must be established right at the beginning of the EHCP assessment process.

Forum Members engaged in discussion, including about the extent to which this new guidance represents any changed position. It was recognised that this guidance only draws out existing case law / the Code of Practice, and as such, we need to be cautious. However, it was agreed that having such a clear statement within DSG guidance is very helpful and will support continued discussions with the CCGs / NHS England regarding health responsibilities. Members identified that the way needs are assessed and EHCPs are written, from right at the start of the EHCP process, are critical to defining these responsibilities (ensuring that health needs are described in section G of EHCPs). The Deputy Director agreed and added that the Authority is engaged in planning a clear and careful process to ensure that EHCPs are written in the correct way to reflect the Code of Practice. The Member representing special school academies, accepting that there is a need to be cautious in response to this new guidance, stated that certain aspects of defining responsibilities need quite urgent attention. Members also discussed some specific areas of commissioning, including Speech and Language Therapy, and the importance of the application of paragraph 256 in Annex 3 within this commissioning (an individual pupil needs-based assessment).

### **Resolved –**

- (1) That the information provided in the report be noted.**
- (2) That the Forum notes and welcomes the guidance that has now been inserted into the DfE's National High Needs Block Operational Guidance, at Annex 3, regarding the funding responsibilities in respect of continuing care / health services.**
- (3) That a report be presented at the earliest opportunity in the summer term to enable the School Forum to analyse the impact of the COVID-19 situation on**

early years entitlement funding in the spring term 2021. The Forum will be asked to further consider the request submitted by a Forum Member, for the Local Authority to protect the early years entitlement funding in schools that have restricted attendance. The Forum will be asked to consider the Authority's response to this request.

- (4) That the Forum supports the Authority's proposed response to the DfE's consultation on amendments to the High Needs Block National Funding Formula for 2022/23.

## **552. MATTERS CONCERNING SCHOOL AND ACADEMY BUDGETS**

The Business Advisor (Schools) presented **Document MY**, which provided an update on matters concerning school and academy budgets. This included an update on the position of the conversion of maintained schools to academy status and on the general forecasted position of school and academy budgets over the 2021-2024 period.

In responding to the report, the Chair asked whether the change in the calculation of the Pupil Premium Grant, from data sourced from the January Census to data sourced from the October Census, was a permanent change. The Business Advisor confirmed this to be the case. The Chair stated that this is a matter that the Bradford Primary Improvement Partnership (BPIP) wishes to consider more closely.

A Member asked about the relationship between the teachers' pay award and projected future year formula funding increases for schools. The Business Advisor offered the view that formula funding increases will likely be related to national decisions about pay awards (e.g. if teachers' pay continues to be 'paused' then formula funding settlements for schools will likely be at lower levels from April 2023).

A Member asked for clarification on whether schools will continue to receive separate funding for the Teacher Pay Grant and Teacher Pensions Grant in respect of early years and post 16 pupils. The Business Advisor responded that continued separate funding has been confirmed for early years pupils but that he is not sure about the position for post 16 pupils as he has so far not been able to clarify this in reading published guidance.

**Resolved – That the information provided in the report be noted.**

## **553. SCHOOLS FORUM STANDING ITEMS**

No further updates were provided.

**No resolutions were passed on this item.**

## **554. AOB / FUTURE AGENDA ITEMS**

The Chair informed Forum Members that today is Sue Haithwaite's final Forum meeting. On behalf of the Forum, the Chair expressed her thanks to Sue for her commitment to, and involvement in, the Forum over many years and for the very significant contributions she has made, not just to Forum meetings, but also to the review work that has taken place in

sub-groups behind the scenes (such as the development of the new EHCP Banded Model). Sue expressed her thanks to Forum Members in response.

**No resolutions were passed on this item.**

## **555. DATE OF NEXT MEETING**

Please see the published schedule of meetings.

The next Forum meeting is planned for Wednesday 19 May 2021.

The Regulations permitting the Schools Forum to meet remotely expire on 31 March 2021. It was explained that we assume at this time, pending further announcements, that the DfE will extend this facility (possibly at least up to the end of July) and so the 19 May meeting will be held remotely. The Authority will confirm arrangements as soon as we can.

The provisional dates of meetings for the 2021/22 academic year are as follows:

- Wednesday 15 September 2021, 8am
- Wednesday 13 October 2021, 8am
- Wednesday 8 December 2021, 8am
- Wednesday 12 January 2022, 8am
- Wednesday 19 January 2022, 8am PROVISIONAL MEETING
- Wednesday 9 March 2022, 8am
- Wednesday 18 May 2022, 8am
- Wednesday 6 July 2022, 8am

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

*minutes\sf10mar21*

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

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## SCHOOLS FORUM AGENDA ITEM

For Action



For Information



**Brief Description of Item** (including the purpose / reason for presenting this for consideration by the Forum)

**This report provides an update on the Schools Forum’s membership and composition. This report also presents the annual update of the Forum’s Conduct of Meeting and Procedures document (Appendix 2). Forum Members are asked to consider and to approve Appendix 2.**

**Date (s) of any Previous Discussion at the Forum**

The Forum’s Conduct of Meetings document and membership arrangements are subject to annual review. Members supported arrangements for the 2020/ 2021 academic year at the meeting held on 8 July 2020.

**Background / Context**

Within good practice guidance, the DfE has stressed to authorities how essential it is that Forum membership arrangements keep pace with the changing landscape, in particular the conversion of maintained schools to academy status. The Authority must consider annually how best to provide for responsive arrangements, to ensure the Forum remains representative and to avoid any unintended bias towards any one phase or sector, whilst continuing to ensure stability of membership and effective decision making. There are other requirements set by the DfE, in place to ensure that those affected by the Authority’s formula funding and DSG spending decisions are effectively represented. Appendix 3 provides a helpful summary of these requirements and of how representation is to be determined.

**Details of the Item for Consideration**

Appendix 1 summarises the current membership and composition of Bradford’s Schools Forum.

The Authority’s calculation, presented in July last year, indicated that we were ‘on the cusp’ of needing to transfer 2 maintained school membership positions to the academy sector, depending on the number of conversions that actually took place during 2020/21, in order for our composition to remain in line with pupil numbers. We indicated that this would mean the transfer of 1 primary and 1 secondary membership. As the volume of academy conversions did take place as predicted, our Forum membership composition has now been adjusted for 2021/22 to transfer 2 maintained school governor memberships to academies memberships.

The membership composition at Appendix 1 is presented following the recent processes completed so far for the recruitment to vacant membership positions for September 2021. The Authority emailed members in May (when notifying of the cancellation of the May meeting) to inform and update on this work. The positions highlighted in green are filled for September 2021 and, at the time of writing this report, are only subject to confirmation with the identified candidates. There are still a small number of vacant positions to be filled (highlighted in blue) and work is continuing on these - the Local Authority will continue to seek to fill existing vacancies and also to manage memberships as set out in the agreed Conduct of Meetings document. This document, refreshed for 2021/22, is presented at Appendix 2. For arrangements going forward, in particular, the Local Authority wishes to talk further to the academies sector about how they collectively can operate their own Forum membership arrangements in line with the DfE’s expectations.

In presenting the membership list at Appendix 1, we wish to highlight / explain the following:

- For 2021/22, the total number of Forum memberships has been increased from 35 to 36, with an additional membership position added to the representation of maintained primary school headteachers. This is an addition for 2021/22 only. The Authority will remove this, returning the total number of memberships to 35, for 2022/23, using the annual refresh process that takes place following the completion of terms of office. This position has been added to ensure that we continue to build and sustain experience and capacity, recognising that the terms of office of a number of maintained school headteacher members ends in July 2022. Although existing members are permitted to seek re-election, there is potential for loss of expertise at this point. The split of primary and secondary maintained school headteacher memberships remains in line with pupil numbers (85% of pupil numbers are in the primary phase, which means 7 of 8 membership positions to the primary phase retains this). Following our recent vacancy work, where all headteachers of maintained primary schools have been invited to put themselves forward, we have received two nominations and it feel sensible to use this position help sustain the effectiveness of the Forum going forward. The split of mainstream primary and secondary memberships,

### **Details of the Item for Consideration**

between maintained schools and academies, is not unduly distorted by this addition. We predict (and inclusive of estimated future conversions) that 67% of mainstream primary and secondary pupils will be on roll in academies at the end of the 2021/22 academic year. Within our Forum membership composition for 2021/22, there are 21 memberships held representing mainstream maintained schools and academies, of which 13 (62%) are held by academies members.

- The end dates of 'terms of office' are now recorded in Appendix 1, where applicable. Members in place at April 2021 have an end date of July 2022. Terms of office are for 2 years, as stated in our procedures document (Appendix 2). An annual refresh / recruitment exercise will take place, next in summer 2022 for all memberships where the terms of office ends in July 2022. Incumbent members are permitted to seek re-election subject to the restrictions set out in Appendix 2.
- We wish to do some more work on the identification and co-ordination of substitute membership positions and we will discuss this with the Schools Forum in autumn.
- As a matter of course, we wish to highlight to Members (especially new members) the provision within Appendix 2 at 12.4, and to stress the importance of attendance and apologies, "Membership of the Forum will lapse if a member fails to attend 4 consecutive Forum meetings, unless the Forum agrees that there have been extenuating circumstances, which have prevented attendance."
- The Forum's Conduct of Meetings and Procedural matters document (Appendix 2) is subject to annual refresh. We have made some amendments this year, and have also added further detailed information on membership processes, in line with the DfE's national good practice guidance. We would advise that members read this document in full and give their feedback to the meeting.
- We expect to have a number of new members at September 2021. The Authority will provide some induction training (remotely). Existing members will also be invited to this training.
- Subject to the outcomes of agenda item 6, Appendix may be revised to include a protocol for the management of remote meetings.

### **Implications for the Dedicated Schools Grant (DSG) (if any)**

No direct implications

### **Recommendations**

**Recommended –**

- (1) The Schools Forum is asked to consider and to note the information provided.**
- (2) The Forum is asked to approve Appendix 2 (Forum Conduct of Meetings and Procedures) for the 2021/22 academic year.**

### **List of Supporting Appendices / Papers (where applicable)**

Appendix 1 – Schools Forum Membership composition July 2021  
Appendix 2 – Conduct of Meeting & Procedural Matters 2021/22  
Appendix 3 – DfE's Schools Forum composition guidance (helpful reference)

### **Contact Officer (name, telephone number and email address)**

Andrew Redding, Business Advisor (Schools), School Funding Team  
01274 432678  
[andrew.redding@bradford.gov.uk](mailto:andrew.redding@bradford.gov.uk)

Ref	Name of Member	Schools or Non-Schools Member	Membership Group	Location / School / Org	Term of Office End Date
1	Sian Young	Schools & Academies Member	Maintained Nursery Schools - Headteacher	Executive Headteacher St Edmund's Nursery School & Lilycroft Nursery School	Jul-22
2	TBC for September 2021	Schools & Academies Member	Maintained Nursery Schools - Governor		Jul-23
3	Kirsty Ratcliffe	Schools & Academies Member	Pupil Referral Unit (maintained)	Headteacher, Park PRU	n/a
4	Bryan Harrison	Schools & Academies Member	Maintained Primary Schools - Headteacher	Headteacher Miriam Lord Primary School	Jul-22
5	Nicky Kilvington	Schools & Academies Member	Maintained Primary Schools - Headteacher	Executive Headteacher Carrwood Primary School & Stocks Lane Primary School	Jul-22
6	Dianne Richardson	Schools & Academies Member	Maintained Primary Schools - Headteacher	Headteacher Swain House Primary School	Jul-22
7	Graham Swinbourne	Schools & Academies Member	Maintained Primary Schools - Headteacher	Headteacher Stanbury Primary School	Jul-22
8	TBC for September 2021	Schools & Academies Member	Maintained Primary Schools - Headteacher		Jul-23
9	TBC for September 2021	Schools & Academies Member	Maintained Primary Schools - Headteacher		Jul-23
10	Emma Hamer	Schools & Academies Member	Maintained Primary Schools - Governor	Governor Carrwood Primary School	Jul-22
11	Ian Morrel	Schools & Academies Member	Maintained Secondary Schools - Headteacher	Headteacher Titus Salt School	Jul-22
12	Lyndsey Brown	Schools & Academies Member	Maintained Special Schools - Headteacher	Headteacher Oastler School	Jul-23
13	Currently vacant (recruitment process underway)	Schools & Academies Member	Maintained Special Schools - Governor	Currently vacant (recruitment process underway)	Jul-23
14	Richard Bottomley (replacing Trevor Loft)	Schools & Academies Member	Academies - AP Academy	Principal, Bradford Alternative Provision Academy Central	n/a
15	Dominic Wall	Schools & Academies Member	Academies - Academy Special School	Principal Co-op Academy Southfield (Special School Academy)	Jul-22
16	Sir Nick Weller	Schools & Academies Member	Academies	Dixons Academies Trust	Jul-22
17	Tehmina Hashmi	Schools & Academies Member	Academies	Bradford Academy	Jul-22
18	Helen Williams	Schools & Academies Member	Academies	Moorlands Learning Trust	Jul-22
19	Wahid Zaman	Schools & Academies Member	Academies	Nurture Academies Trust	Jul-22
20	Carol Dewhirst OBE	Schools & Academies Member	Academies	Bradford Diocesan Academies Trust	Jul-22
21	Deborah Howarth	Schools & Academies Member	Academies	Bronte Academies Trust	Jul-22
22	Brent Fitzpatrick OBE	Schools & Academies Member	Academies	Exceed Academies Trust	Jul-22
23	Ashley Reed	Schools & Academies Member	Academies	Bradford Diocesan Academies Trust	Jul-22
24	TBC for September 2021	Schools & Academies Member	Academies		Jul-23
25	TBC for September 2021	Schools & Academies Member	Academies		Jul-23
26	TBC for September 2021	Schools & Academies Member	Academies		Jul-23
27	TBC for September 2021	Schools & Academies Member	Academies		Jul-23
28	TBC for September 2021	Schools & Academies Member	Academies		Jul-23
29	Currently vacant (recruitment process underway)	Non-Schools Member	Private, Voluntary & Independent Early Years	Currently vacant (recruitment process underway)	Jul-23
30	Currently vacant (recruitment process underway)	Non-Schools Member	16-19 Providers	Currently vacant (recruitment process underway)	Jul-23
31	Tom Bright (replacing Ian Murch)	Non-Schools Member	Trades Unions	Trades Unions - Teaching	n/a
32	Donna Willoughby	Non-Schools Member	Trades Unions	Trades Unions - Non Teaching	n/a
33	Irfan Alam	Non-Schools Member	Officer for Vulnerable Children	Deputy Director Children's Services	n/a
34	Not Taken (currently vacant)	Non-Schools Member	Roman Catholic Diocese (Bradford)	Not Taken (currently vacant)	n/a
35	Not Taken (currently vacant)	Non-Schools Member	Church of England Diocese (Bradford)	Not Taken (currently vacant)	n/a
36	Not Taken (currently vacant)	Non-Schools Member	Council for Mosques (Bradford)	Not Taken (currently vacant)	n/a

## Summary of Membership Composition at July 2021

Total no. of Memberships	36
Total no. of Schools & Academies Memberships	28
<i>Within this - no. of maintained school Memberships</i>	13
<i>Within this - no. of academies Memberships</i>	15
Total no. of Non-Schools Memberships	8
% of Schools Members to Non-Schools Members	78%
Total no. of Governor Memberships (maintained)	3

indicates a new member

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# **Bradford Schools Forum Document MZ Appendix 2**

## **Membership, Conduct of Meetings & Procedures 2021- 2022**

(refreshed July 2021)

*Please note that this document is written on the basis that the Schools Forum will return to 'in attendance' meetings from September 2021 (it does not include a protocol for remote meetings as yet).*

### **1. Regulations**

- 1.1 The procedures for the conduct of School Forum meetings were originally agreed in October 2006 following the Schools Forum (England) (Amendment) Regulations 2005/3299. These Regulations govern the composition, constitution and procedures of Schools Forums.
- 1.2 The original Regulations have been revised by the Schools Forums (England) (Amendment) Regulations 2007, amended again in 2012 and then also amended by adjustments to the Schools and Early Years Finance (England) Regulations. The relevant Schools Forum Regulations (as amended) can be accessed [here](#).
- 1.3 The Regulations set some requirements for membership, procedural matters, voting and for the conduct of meetings, which are included within this document. A number of procedural matters however, have been left for local decision. Where the Regulations make no provision on a procedural matter, local discretion is exercised. The DfE provides an operational and good practice guide, which can be accessed [here](#).
- 1.4 The intention behind the Regulations is that Forum meetings are conducted in public and in the same manner as other Council Executive and Committee meetings.

### **2. Revision of Procedural Arrangements**

- 2.1 Subject to the requirements of the Regulations, the procedural arrangements for the Schools Forum can be reviewed and amended at any time with agreement of both the Authority and the Schools Forum. Outside of the necessary response to amendments to the Regulations, this document is normally reviewed and re-published annually. It is normally presented to the Forum's July meeting for consideration, feedback and approval.

### **3. Membership Composition**

- 3.1 The membership composition of Bradford MDC's Schools Forum for the 2021/22 academic year is:
  - 3.1.1 28 Maintained Schools & Academy Members
    - 9 Headteachers Maintained Schools
    - 3 Governors Maintained Schools
    - 15 Academy representatives (including Free Schools, Studio Schools and UTC's)
    - 1 representative of Pupil Referral Units
  - 8 Non-Schools Members
    - A representative of the Church of England Diocese
    - A representative of the Roman Catholic Diocese
    - A representative of the Council for Mosques
    - 2 representatives of the Trades Unions (teaching & non-teaching)
    - An Officer representing vulnerable pupils
    - A representative of Early Years Private, Voluntary and Independent providers (PVI)
    - A representative of Post 16 Providers
- 3.2 Maintained Schools & Academy members are formally elected by their constituent groups. Election processes normally take place in the summer term, for membership arrangements for the following academic year September to July. These arrangements are initiated by the Authority following the annual review, which is described below.

For Maintained Schools members, the Authority communicates directly with the constituent groups, to explain the memberships to be filled, the nomination and election processes that will be followed and to ask for all eligible individuals to express their interest in putting themselves forward as a candidate.

In situations where there is only one candidate for a Maintained Schools membership position (after having invited all eligible individuals within their respective groups to stand for election), the Authority's standard practice is to appoint this candidate to this membership position. The Authority will also appoint a member in the event of a tie between two or more candidates, as required by the Regulations.

For Academies members, the Authority communicates with the academies sector. *However, the academies sector in Bradford (following recent expansion) does not currently have its own arrangements for managing its representation and the Authority has taken the leading role in this at summer 2021. This is an area for review. For arrangements going forward, the Authority wishes to talk further to the academies sector about how they collectively can operate their own Forum membership arrangements in line with the DfE's and the Authority's expectations.*

- 3.3 Academies should set their own arrangements for their representation, including for the distribution of this representation between phases. Special Academies / Free schools, and Alternative Provision Academies / Free schools, however, are required to be specifically represented where these types of setting exist and the Local Authority must ensure this. The Local Authority is also required to ensure academy representation (via appropriate appointment to membership positions) where academies do not have arrangements in place and / or where elections for academies membership positions do not take place by an instructed date. The Authority must also appoint in the event of an election that results in a tie between two or more candidates, as required by the Regulations.
- 3.4 The term of office of membership for both Maintained Schools and Academy members is 2 years, running on an academic year basis September to July. This is set by the Local Authority. In order to provide for continuity of expertise, as well as for flexibility to permit review of composition, the Authority's aim is that a proportion of Maintained Schools and Academy members 'retire' every year. Serving Maintained Schools and Academy members can put themselves forward for re-election, to continue for consecutive terms, subject to the requirements for review explained in 3.5 and 3.6.
- 3.5 The Regulations require the number of Maintained Schools members to be proportionate to pupil numbers by primary and secondary phases. The Regulations also require the number of Maintained Schools vs. Academy members to remain proportionate with pupil numbers. It is the Local Authority's practice to review these positions in full annually in the summer term, for the next academic year. Reports are presented to the Schools Forum annually in May and in July in support of this. Election processes also normally take place in the summer term following this review.

The Authority typically uses the flexibility provided by the 'retirement' of members at the end of their terms of office to adjust the Forum's membership composition for the next academic year, if this is required. The first consideration therefore, in the re-election of the Maintained Schools and Academy members that retire each year, is to ensure that representation between primary and secondary phases of maintained schools, and between Maintained Schools and Academy members, remains proportionate to pupil numbers. This may require the composition of membership to be adjusted and may mean that serving members may not be eligible for re-election to the membership position they have previously occupied. The Forum is consulted on all amendments.

In the annual review, in setting the composition for the following academic year, the Authority takes account of predicted academy conversions. This approach seeks to support stable arrangements, to avoid having to make significant in year / 'mid-term' amendments to the Forum's composition. However, review of membership is a standing agenda item for Forum meetings, which allows discussion on in year amendment if this is required (typically would be needed in exceptional circumstances e.g. where there has been a substantial unexpected volume of conversions of maintained schools to academy status).

- 3.6 A member ceases to be a member of the Schools Forum if they resign or if they no longer occupy the office by which they became eligible for election or appointment to the Schools Forum.

Within this, Maintained Schools members cannot remain as Maintained Schools members once their own school has converted to academy. Where a Maintained Schools member becomes ineligible for this reason, and where there is either a vacant academies membership, or where a new academies membership is required to be created in order to retain proportionate representation, having checked with the member first, the Authority will ask the academies sector whether they will accept the 'transfer' of this member to become a representative of the academies sector until the end of their existing term. If this transfer option either is not applicable, or is not accepted, the member must resign from the Forum.

In order to provide flexibility to adjust, if required, the Forum's composition at the next annual summer term review, the Authority may not seek to fill any Schools or Academies membership that becomes vacant in year, provided that this does not hamper effective representation. In these situations, the vacancy will not be held open for more than the length of time remaining on the existing term and the Forum will be consulted.

The Authority may take other action mid-term to adjust the membership composition, or to appoint to vacancies, to ensure that representation remains effective, proportionate and stable, in consultation with the Schools Forum.

3.7 The Authority directly manages non-schools' members representation.

The officer representing vulnerable children is appointed by the Authority from the Department of Children's Services.

The trades unions, the dioceses and the Council for Mosques are separately invited to nominate appropriate representatives. If the invitation is not taken, the membership position remains within the Forum's composition but is identified as 'not taken / vacant'. These positions can subsequently be filled at any time. There is specific term of office.

The Authority normally expects the representative of Early Years Private, Voluntary and Independent providers to be appointed from the Early Years Working Group (the sub group of the Schools Forum that reviews and contributes to the Authority's arrangements for the funding of the early years entitlements). The term of office is 2 years on an academic year basis September to July.

The Authority arranges the election of the representative of Post 16 providers, in consultation with eligible organisations, in accordance with the DfE's Regulations. The term of office is 2 years on an academic year basis September to July.

3.8 The Regulations provide that proceedings of the Schools Forum are not invalidated by defects in the election or appointment of any member, or the appointment of the Chair. Nor does the existence of any vacancy invalidate proceedings (save for the quorum requirement).

#### **4. Quorum**

4.1 A Forum meeting is quorate if 40% of the total membership is present. This is 40% of the current membership, excluding vacancies and any observers. Substitute members taking the place of ordinary members, who are absent at a meeting, are counted in the quorum calculations.

4.2 If a meeting is inquorate it can proceed but it cannot legally take decisions e.g. elect a chair or make a decision relating to funding conferred by the Regulations. An inquorate meeting can respond to Authority consultations, and can give views to the Authority, but the Authority is not legally obliged to take account of the views expressed.

#### **5. Voting & Decision Making**

5.1 Only Maintained Schools and Academy members, and the representative of PVI providers, can vote on matters relating to formula funding. Decisions will be recorded by voting. Non Schools members can participate in discussions on formula funding but do not have voting rights, with the exception of the representative of PVI providers, who does have voting rights when decisions on formula funding are taken.

5.2 Decisions on "de-delegation" of Dedicated Schools Grant (DSG) for services, contingencies and for other permitted activities, from the Schools Block in respect of maintained primary and secondary schools, must be made on a phase by phase basis, with the Maintained Schools member representatives from primary and secondary taking separate decisions only for their own phases. Decisions will be recorded by voting. Other Schools and Academies members, and Non Schools members, including the representative of PVI providers, can participate in discussions on de-delegation, but these members do not have voting rights.

5.3 Decisions on retaining funding for statutory duties relating to maintained schools must be taken only by maintained primary, secondary, special and PRU members. Decisions will be recorded by voting. Other members can participate in discussions on these matters, but they do not have voting rights.

5.4 The minutes of meetings will record the outcomes of any voting.

5.5 All other decisions relating to the allocation of the DSG, and to other school finance matters tabled at the Forum, including on recommendations that are made by the Forum's sub-groups, will be taken by all members on the basis of reaching consensus, wherever possible. Voting (to determine a majority view) will be used where consensus is not achieved.

## **6. Observers**

6.1 The Regulations require that the Education Skills Funding Agency (the ESFA) has observer status at Schools Forum meeting. The ESFA representative has the right to "participate" i.e. to speak at meetings.

6.2 The Forum may ask other observers to attend the Forum and can also invite any other body to do so.

6.3 Observers may not take part in any decision making or in voting.

## **7. Named Substitutes**

7.1 Named substitute members should be nominated by their constituent groups. Named substitutes must be an appropriate individual that represents the group, which the ordinary member represents. All nominations for substitute members are subject to the Authority's and the School Forum's approval in advance of their attendance. Substitute members must be formally identified and recorded in advance of the meeting i.e. it is not permitted for a member to be substituted 'on the day' by someone who has not been previously agreed and recorded as a named substitute (in these situations, although the substitute can attend the meeting as an observer, the substitute will not be permitted to participate in the Forum's meeting as a member).

7.2 For the purposes of recording attendance, in respect of the provision written at paragraph 12.4 (4 consecutive meeting absences without accepted apologies), the attendance of a substitute in place of the ordinary member constitutes an absence of the ordinary member for which apologies are required. The Clerk of the Forum co-ordinates the attendance of both members and of substitutes. Members are required to contact the Clerk in advance of meetings (as early as possible) to notify that they are unable to attend a meeting so that the attendance of substitute members can be co-ordinated.

7.3 Named substitutes have the same rights as full members of the Forum for the meetings which they attend in place of the ordinary member. They will also be sent the reports for all meetings.

7.4 Named substitutes can also be used as observers, but only have observer rights to the meetings they attend specifically as observers e.g. where the ordinary member is in attendance.

## **8. Election of a Chair & Vice Chair**

8.1 The Chair and Vice Chair must be a member of the Schools Forum and must be elected by the members of the Forum. Non-executive elected members of the Council and Authority Officers are not permitted to be Chair.

8.2 The term of office of both the Chair and Vice Chair is normally 1 calendar year running on an academic year basis September to July. Elections take place annually in July for the following academic year. In the situation where the Chair or Vice Chair resigns, or becomes ineligible for Forum membership mid-term, the Forum will be asked to elect a replacement and to decide at this point the date at which the new Chair's / Vice Chair's term of office should expire.

8.3 Both the Chair and Vice Chair can stand for re-election to serve consecutive terms of office.

8.4 The Vice Chair is not Chair Designate.

8.5 In situations where there is only one candidate for either the Chair or the Vice Chair, the Authority's standard practice is to appoint this candidate to the position, having first received the approval of the Schools Forum to do so.

## **9. Notice of Meetings & Agenda Setting**

9.1 The Forum is required to meet at least four times a year. Following our standard timetable, Bradford School's Forum meets seven times a year in September, October, December, January, March, May and

July. Meetings normally are held on Wednesdays at 8am. This timing of meetings is geared towards allowing for best attendance of Forum members.

- 9.2 The dates of meetings for the next academic year, and the Forum's work plan, which outlines the key items of business that will be discussed by the Forum each term, are confirmed and published on the [public website](#) at the start of each academic year (at the latest). The provisional dates of meetings for the coming year however, are initially published earlier for planning purposes. Information relating to the Schools Forum and its business, as well as consultation documents on formula funding and links to the main public website, are also published on [Bradford Schools Online](#), which is a main reference point / communication tool for the Authority used by schools and academies.
- 9.3 It may be necessary to arrange additional meetings at times when the Forum has urgent unforeseen or significant matters to discuss. Where the dates of already scheduled meetings are changed, or additional meetings are arranged, all members will be notified directly of the changes by email. The public website will also be amended.
- 9.3 Agenda items for meetings are determined by the Authority in consultation with the Chair and Vice Chair.
- 9.4 The Forum will normally only consider items if they have been included in an agenda, which has been made available for public inspection. However, the Chair can allow an item to be considered, which has not been on a publicly available agenda. For this to happen, the Chair must be of the opinion that it is a matter of urgency. An explanation of the special circumstances must be given in the minutes of the meeting to justify this action.

## **10. Urgent Business**

- 10.1 Where there is a need for a decision, or a formal view from the Forum, before the next scheduled meeting, the Clerk to the Forum, in consultation with the Chair and Vice Chair of the Forum, will contact all Forum members by email giving the details of the decision required and a deadline by which views or votes must be received. All members will be notified of any decision taken and this will be repeated for information at the start of the subsequent Forum meeting (and recorded within the minutes for public awareness).
- 10.2 Neither the Chair nor the Vice Chair are permitted take a decision on behalf of the Forum, but the Chair and Vice Chair may give the Authority a view on any urgent issue.

## **11. Access to Meetings**

*Please note that this provision is written on the basis that the Schools Forum will return to 'in attendance' meetings from September 2021. It does not include a protocol for remote meetings as yet.*

- 11.1 Any person is entitled to attend Schools Forum meetings.
- 11.2 All meetings are held in public. The agenda, reports, decision list and minutes are publicly available on the Council's website and in Committee Secretariat, Room 112, City Hall, Bradford. The taking of photographs, filming and sound recording of the meeting is allowed except if the Forum Members vote to exclude the public to discuss confidential matters covered by Schedule 12A of the Local Government Act 1972. Recording activity should be respectful to the conduct of the meeting and behaviour that disrupts the meeting (such as oral commentary) will not be permitted. Anyone attending the meeting who wishes to record or film the meeting's proceedings must liaise in advance with the Forum Clerk, who will provide guidance and ensure that any necessary arrangements are in place. Those present who are invited to make spoken contributions to the meeting should be aware that they may be filmed or sound recorded.
- 11.3 Members of the public do not have the right to participate in Forum meetings, unless they are asked to do so by the Chair and with the agreement of Forum members.
- 11.4 If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair can order their removal from the meeting.
- 11.5 Attendees from the Local Authority, able to participate in meetings, are restricted by the Regulations to the Director of Children's Services or their representative, the Chief Finance Officer or their representative, the Executive Member for Children's Services, the Executive Member with responsibility for resources, and officers that are attending in order to provide specific financial or technical advice or to present a report. Only specific officers eligible to speak at meetings are eligible to attend. Any person presenting a report can only speak on the report they are presenting.

## **12. Recording of Attendance and Apologies for Absence**

- 12.1 All members present during the whole or part of a meeting should sign their names on the attendance register to assist with the record of attendance.
- 12.2 Members should contact the Clerk to the Forum as early as possible prior to a meeting to record apologies for absence.
- 12.3 The minutes of Forum meetings will record the names of attending members, non-attending members that have given apologies and non-attending members for which apologies have not been received. The Clerk will keep a record of reasons for apologies, which can be reported to the Forum on request.
- 12.4 Membership of the Forum will lapse if a member fails to attend 4 consecutive Forum meetings, unless the Forum agrees that there have been extenuating circumstances, which have prevented attendance.

## **13. Declarations of Interest**

- 13.1 All members must make a declaration of interest, as appropriate, at the start of the meeting, following their review of the agenda. This disclosure must explain the nature of the interest.
- 13.2 An interest must also be disclosed during the meeting if this only becomes apparent to the member during the meeting.

## **14. Administrative Support to the Forum**

- 14.1 Clerking and other administrative support to the Forum will be provided by the Local Authority (by Committee Secretariat and School Funding Team).
- 14.2 This support includes:
  - 14.2.1 Assisting each constituent group with the co-ordination of the member nomination and election processes
  - 14.2.2 Maintaining records of the election process and composition of the Schools Forum
  - 14.2.3 Maintaining a database of Forum member names and contact details
  - 14.2.4 Sending agendas, minutes and reports to Forum members prior to each meeting
  - 14.2.5 Co-ordinating the attendance of substitute members
  - 14.2.6 Maintaining a record of Forum member attendance, non-attendance and apologies
  - 14.2.7 Recording the discussions and action points of Forum meetings and the outcomes of voting
  - 14.2.8 Maintaining the information on the website for public access to agendas, reports and minutes
  - 14.2.9 Providing an induction for new members of the Forum
  - 14.2.10 Providing a route for access to further information and updates from DfE / ESFA on Forum related business
  - 14.2.11 Providing technical advice on the Regulations governing the Schools Forum composition, constitution and procedures
  - 14.2.12 Responding to queries concerning the business of the Forum from Stakeholders and for other non-members
  - 14.2.13 Recording spending against the Schools Forum budget and processing members' expenses

## **15. Order of Business at Meetings**

- 15.1 At normal meetings, business will usually be dealt with in the following order
  - 15.1.1 Choice of a person to Chair if the Chair and Vice Chair are absent
  - 15.1.2 Receiving apologies for absence and substitutes
  - 15.1.3 Disclosures of interest from members
  - 15.1.4 Agreeing the minutes of the last meeting & receiving an update on outstanding action points
  - 15.1.5 Consideration of any correspondence received or any matters raised by schools
  - 15.1.6 Items of business on the agenda
  - 15.1.7 Standing items, including Forum membership, reports received from the Forum's sub groups & other agreed standing information items
  - 15.1.8 Any other business not included on the agenda
  - 15.1.9 Agreement of date, time and location of future meetings

## **16. Availability of Agendas, Minutes and Reports**

- 16.1 Normal practice is for agendas, minutes of the previous meeting and relevant reports to be sent directly out to Forum members and substitutes 7 calendar days before the date of the meeting. These will be sent out electronically via email, and subsequently via post on request.
- 16.2 Where it is not possible to send reports to members 7 days in advance, members will be notified before the meeting when any missing information will be available or whether this will be tabled at the meeting. Where information has been sent closer than 7 days before the date of the meeting, or has been tabled at a meeting, the Forum has the discretion to take a view on whether members have had sufficient time to consider this and what action should be taken, for example, moving the item to a future agenda.
- 16.3 The agenda and reports for the next meeting will be placed on the website for public access at the same time as these are sent out to Forum members, or within 24 hours of the meeting where reports are tabled at the meeting or are related to exceptional items. Members of the public may request, at their own expense, a copy of the agenda and reports, which are available for public inspection. A reasonable number of agendas and open reports will be made available free of charge at meetings to members of the public in attendance.
- 16.4 A summary of the key decisions taken at each meeting will be placed on the website, for public access, within 48 hours of the meeting having taken place.
- 16.5 The draft (unapproved) minutes from each meeting will be placed on the public website within 10 working days. Members are required to agree the minutes as a true record at the Forum's next meeting.

## **17. Standard Format of School Forum Reports**

- 17.1 All reports submitted to the Forum should be written in the following format, using the established template
- 17.1.1 Title & Brief Description of the item. The purpose of the report should be clearly set out
  - 17.1.2 The date (s) of any previous discussion at the Forum and references to previous reports
  - 17.1.3 Background & Context
  - 17.1.4 A section giving a description of the matter for discussion clearly outlining the action required and options available
  - 17.1.5 A clear statement of any financial implications for the Dedicated Schools Grant
  - 17.1.6 Clear recommendations for the Forum to consider
  - 17.1.7 Additional appendices
  - 17.1.8 The name, telephone number and email address of a contact officer
- 17.2 Reports will be marked whether the Forum is requested to take a decision or is requested to give a formal view / formal feedback (marked 'for action') or whether the paper is provided only for the Forum's information (marked 'for information').

## **18. Sub Groups & Working Groups**

- 18.1 The current standing sub groups of the Schools Forum are: The School Finance Performance Group (SFPG), the Formula Funding Working Group (FFWG), the Early Years Working Group (EYWG) and the High Needs Block Steering Group (HNBSG). These groups have been established to conduct the bulk of the detailed work needed in the management of maintained school deficits and surpluses and in the development and review of formula funding.
- 18.2 These sub groups will report details of their work and any recommendations back to the full Forum. The agenda for each meeting of the Forum includes a standing item where reports are taken from these groups.
- 18.3 The Forum has the discretion to convene additional working groups at any time, for example, for specific projects, which may be time limited.
- 18.4 Members of sub groups are normally taken from School Forum members. However, the Forum has the discretion to recommend or to nominate non-members to solely make up or be part of these groups.
- 18.5 Sub groups can make recommendations on the allocation of funding, but any final decisions (or formal views) must be agreed by the full Forum.

18.6 The Forum has the power, within the budget available, to commission work from external sources.

18.7 Members of the public are not entitled to attend sub group meetings.

## **19. Financial Resources & Expenses**

19.1 The Forum will set a budget each year from the Central Schools Services Block to cover its running costs. This budget will cover

19.1.1 The cost of meetings (agreed expenses, producing & distributing reports, room hire, refreshments and clerking)

19.1.2 The commissioning of research or reports

19.1.3 The cost of the nomination and election process for Forum members

19.2 School Forum members are able to claim expenses on production of a valid VAT receipt. The rates of payment will be the same as those used for co-opted members of the Council for Financial Loss Allowance, Motor Vehicle Allowance and Subsistence Allowance (the latter cannot be claimed if food is provided at the meeting).



## Schools forums structure

A summary of the structure of schools forums.

Category	Schools members	Academies members	Non-school members
Represented groups	<p>Where the local authority maintains the following types of school, they must be represented on the schools forum:</p> <ul style="list-style-type: none"> <li>• Primary Schools</li> <li>• Secondary Schools</li> <li>• Special Schools</li> <li>• Nursery Schools</li> <li>• PRUs</li> </ul>	<p>At least one academies member must be a representative of mainstream academies, which includes free schools, UTCs and Studio Schools. In addition, there must be one member for each of the following groups (if such exist in the local authority area):</p> <ul style="list-style-type: none"> <li>• Special academies, including free schools</li> <li>• Alternative provision academies, including free schools</li> </ul>	<p>16 to19 providers</p> <p>Early years Private, Voluntary and Independent (PVI) providers</p> <p>Before considering other groups, the local authority must consider diocesan representation</p>

Category	Schools members	Academies members	Non-school members
Type of member	<p>Within each of the five groups above there could be the following types of member:</p> <ul style="list-style-type: none"> <li>• Headteachers (or their representative)</li> <li>• Governors</li> <li>• Headteachers and Governors</li> <li>• In overall terms there must be at least one headteacher (or their representative) and one governor</li> </ul>	Any	Any
Schools forum structure	<p>Schools members and academies members must comprise at least two thirds of the schools forum membership</p> <p>Primary schools, secondary schools and academies must be broadly proportionately represented on schools forum, based on the total number of pupils registered at them</p>	<p>Schools members and academies members must comprise at least two thirds of the schools forum membership</p> <p>Primary schools, secondary schools and academies must be broadly proportionately represented on schools forum, based on the total number of pupils registered at them</p>	
Voting	Only primary representatives can	No voting on de-delegation or the	No voting on de-delegation or the

Category	Schools members	Academies members	Non-school members
	<p>vote on primary school dedelegation Only secondary representatives can vote on secondary school dedelegation All schools members can vote on the scheme for financing schools All schools members can vote on any other schools forum business, including the consultation on the funding formula.</p> <p>Maintained school members can vote on items relating to <a href="#">general duties and retained duties</a>.</p>	<p>scheme for financing schools All academies members can vote on any other schools forum business, including the consultation on the funding formula.</p> <p>Academy members can vote only on <a href="#">retained duties</a>.</p>	<p>scheme for financing schools Only PVI representatives can vote on the consultation on the funding formula.</p> <p>All non-school members can vote on any other schools forum business</p>
Elected by	<p>The relevant sub-group of the relevant type of school e.g. primary school governor representatives are elected by the governors of primary schools, secondary school headteachers are elected by the headteachers of secondary schools.</p>	<p>The relevant proprietors of academies elect for their group, e.g. mainstream academies, special academies and alternative provision academies</p>	<p>Election only applies to the representative for the 16 to 19 providers, who is elected by all eligible 16 to 19 providers</p>

Local authority appointment of members	Only if no election takes place by the agreed date or in the event of a tie	Only if no election takes place by the agreed date or in the event of a tie	<p>Can appoint a 16 to 19 representative only if no election takes place by the agreed date or in the event of a tie.</p> <p>For all other non-schools members the local authority appoints, but it's good practice to seek nominations from the relevant bodies</p>
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**Other attendees who are permitted to contribute to a schools forum meeting:**

- an observer appointed by the Secretary of State
- the Chief Financial Officer
- the Director of Children's Services
- officers providing financial & technical advice to schools forum
- the Executive Member for Children's Services
- presenters (restricted to the paper they are presenting)
- the Executive Member with responsibility for resources

## SCHOOLS FORUM AGENDA ITEM

For Action

For Information

**Brief Description of Item** (including the purpose / reason for presenting this for consideration by the Forum)

**This report provides the initial confirmation of carry forward balances held within the Dedicated Schools Grant at the close of the 2020/21 financial year.**

**Date (s) of any Previous Discussion at the Forum**

Final confirmation of balances brought forward from 2019/20 was presented on 16 September 2020. Estimates of balances to be held at 31 March 2021 were presented to the Schools Forum on 9 December 2020 and again on 13 January 2021. These estimates were included in the Schools Forum's DSG recommendations and decisions process for the 2021/22 financial year.

**Background / Context**

The Local Authority finalises its forecast of the DSG planned budget for the following financial year for presentation to the School Forum's annual January meeting. This planned budget is constructed on known factors and data, but also incorporates estimates, especially of expenditure, that firm up during the year. The balances to be carried forward at the end of each financial year, which are initially presented to the Forum in December, and then again in January, are based on estimates pulled together at the end of November.

After our DSG planned budget is agreed by Council in February, the Schools and the Central Schools Services Blocks have a relatively small number of 'moving parts'. The Early Years and High Needs Blocks however, are subject to a significant amount of movement during the year. A normal part of the annual DSG management process is the reconciliation of planned vs. actual spending and estimated vs. actual carry forward balances. The Authority, with the Schools Forum, has always taken a prudent approach in its forecasting, seeking to ensure that the DSG does not have the additional burden of needing to compensate for a deficit resulting from an over-estimation of income or an under-estimation of expenditure in the previous year. The Authority, with the Schools Forum, has also always sought to hold a reasonable value of un-committed 'resilience' reserve so that unexpected or higher than expected costs can be safely managed.

Surplus balances brought forward are available to be spent on a one off basis only. When previously considering such balances, the Forum has sought to avoid allocating these in support of on-going expenditure pressures. The Schools Forum recommended the use / retention of the balances estimated to held at 31 March 2021 at the meeting held on 13 January 2021. £1.280m of balances have been committed for spending within the 2021/22 DSG planned budget (see Appendix 1 for the Block distribution of this).

We now separate balances according the four block DSG structure. DSG balances can be used across all blocks. In practical terms however, under National Funding Formula, it is now useful for the DSG's balances to be presented on a block-specific basis. The starting assumption is that the balance attributed to each block is spent on pressures within that block, unless a specific decision is taken to transfer balances between blocks. To stress, the DSG Regulations permit balances to be used across all the blocks. What we have established is a locally determined informal block ring-fencing policy.

Balances transferred between financial years within de-delegated funds in the Schools and Early Years Blocks are 'ring-fenced' to maintained schools. This is because only maintained schools contribute to these funds. Surplus balances carried forward can be released back to maintained schools through adjustments to the values of the contributions taken for access to de-delegated funds in the next financial year. The DSG Regulations require Forum approval for the writing off of any deficits related to de-delegated funds from the Schools Budget. To date we have not ever asked the Forum to do this.

The Growth Fund and Falling Rolls Fund are treated as ring-fenced funds within the Schools Block. It is our current practice to carry forward any unspent balances to be retained to be used for their purposes rather than these being recycled generally back into the Schools Block. The DSG Regulations require that the balances held within the Growth Fund and the Falling Rolls Fund, and in de-delegated funds, are specifically presented to the Schools Forum. The Disability Access Fund (DAF) monies within the Early Years Block are expected by the DfE to be earmarked for this purpose only and identified separately.

Within the February 2020 Finance Regulations, the DfE amended the provisions that relate to the addition of non-DSG income into the Schools Budget and to the treatment of DSG account deficits, with the affect that:

## Background / Context

- The Authority is no longer required to obtain the permission of the Schools Forum to carry forward or write off deficits within the DSG. Authorities are now required either to carry forward any cumulative deficit in their Schools Budget to set against DSG in the next funding period (Y+1); or to carry forward some or all of the deficit to the funding period after that (Y+2), in order to determine how much resource is available to be spent during the funding period (Y+1).
- Authorities must receive permission from the Secretary of State to add non-DSG income into the Schools Budget, either for the purposes of contributing to a deficit or to support (match fund) activities funded by the DSG.

So the statutory basis is now that an overall DSG deficit must be carried forward to be dealt with from future DSG income, unless the Secretary of State authorises a local authority not to do this, and that authorities are not permitted to fund any part of the deficit from sources other than the DSG (and any specific grants whose conditions allow them to be applied to the schools budget) without the authorisation of the Secretary of State. Bradford's DSG account is not in deficit at the end of 2020/21.

The DfE, through the DSG's Conditions of Grant, requires local authorities that have an overall cumulative DSG deficit of 1% or more at the end of the financial year to submit a report to the ESFA on how this deficit will be recovered. We have previously reported that the DfE has introduced this in the light of the growing number of local authorities setting deficit DSG accounts, largely due to over spending within their High Needs Blocks. 1% of our DSG is roughly £6m. Our DSG account is currently in surplus.

The DfE also now expects all local authorities to regularly present to their School Forums a DSG Management Plan, which sets out the expected future year DSG position and explains the pressures on spending and mitigating actions that are to be taken, especially with reference to high needs provision. We last presented a DSG Management Plan to the Forum on 13 January 2021.

The Schools Forum will receive, as normal in the autumn term and usually in December, an analysis of the forecasted position of DSG balances at the end of the 2021/22 financial year.

In presenting to the Forum on the 13 January 2021 the estimated DSG balances that would be held at 31 March 2021, we highlighted these two matters in particular:

- Spending pressure in the Pupil Admissions service, funded by the Central Schools Services Block (CSSB). We signalled that, following the confirmation of the final balances position for the end of the 2020/21 financial year, if the CSSB holds a net deficit balance at 31 March 2021, which is at a value lower than or equal to £0.156m, we would expect to charge this deficit to the Schools Block carry forward balance and we would ask for the Forum's approval to do this
- How uncertain the cost of our early years entitlement arrangements for the spring term 2021 were, in relation to the Early Years Block funding we will receive based on the DfE's amended funding arrangements in response to the COVID-19 pandemic. We explained that we might find a greater than normal size of variance in the difference between estimated and final balances held within the Early Years Block for this reason. We further expressed to the Forum at the meeting held on 10 March 2021 how uncertain the Early Years Block's financial position still was at that time.

## Details of the Item for Consideration

### Summary - Initial Confirmation of DSG Balances Brought Forward from 2020/21

Appendix 1 presents:

- **The balances by DSG block that were estimated to be held at the end of the 2020/21 financial year – a total of £25.271m.** This estimate was calculated in December 2020 and reported to the Schools Forum within Document MU presented on 13 January 2021.
- **The actual balances by DSG block that have now been initially confirmed following the closure of the financial year at 31 March 2021 – a total of £27.550m, representing an additional £2.279m on the estimated figure.** Please note that this is an initial confirmation not yet inclusive of the final Early Years Block adjustments relating to the spring term 2021, which are discussed in more detail later in this report.

### **Details of the Item for Consideration (continued)**

Members are asked to note:

- £1.242m of the confirmed £6.652m Schools Block balance is attached to maintained school de-delegated funds and is ring-fenced. Members are reminded that the Schools Forum, in its recommendations for the 2021/22 planned budget, released an estimated £0.200m of the forecasted de-delegated funds balance to support the cost of the maternity / paternity scheme for maintained primary schools.
- £1.386m of the confirmed £6.652m Schools Block balance is attached to the Growth Fund and is ring-fenced. The £1.386m includes £0.430m held for the estimated cost of the final year of allocation to Beckfoot Upper Heaton Academy (BUHA) under the agreed support model.
- £0.500m of the confirmed £6.652m Schools Block balance is attached to the primary phase Falling Rolls Fund and is ring-fenced. We confirmed with the Schools Forum in March that there are no Falling Rolls Fund allocations in 2020/21 and so the full value of the fund for two years is carried forward into 2021/22. The Forum's sub-group will be re-convened to consider further the on-going position of the Falling Rolls Fund and the position of this balance.
- £0.458m of the £4.108m Early Years Block balance is attached to the Disability Access Fund (DAF) and is ring-fenced in line with the DfE's expectations. Members are reminded that the Schools Forum, in its recommendations for the 2021/22 planned budget, increased the value of DAF allocation per pupil in 2021/22 from £615 to £1,000 to support the fuller in year allocation of the DAF funding available through the Early Years Block. £0.072m of the £4.108m is attached to de-delegated funds and is also ring-fenced. The £4.108m balance held in the Early Years Block, and the variance from the previous estimate, is discussed in more detail later in this report.
- The difference of + £1.341m in carry forward balance held within the High Needs Block against the estimate is the cumulative result of smaller differences between the forecasted and actual cost of high needs model allocations between December 2020 and March 2021 across funded providers. There continues to be a significant amount of structural financial change, including from the creation of specialist places, the re-structuring of PRU provision, and the establishment of Authority-led resourced provisions and associated centrally managed staffing, which is taking place on a backdrop of continued growth in the numbers of EHCPs. These changes combine to mean that it is challenging to forecast in December (based on information available up to November) what the profile of spend will be for the rest of the financial year up to March. Members are reminded that one of our main aims has been to set a High Needs Block planned budget, and an approach to forecasting spend, which builds sustainable affordable capacity for the medium to longer terms.

### **Central Schools Services Block – Deficit Balance Write Off from the Schools Block**

The Central Schools Services Block closed at 31 March 2021 with a total combined deficit of £0.078m. As stated in Document MU (paragraph 5.3), presented to the Schools Forum on 13 January 2021: "We have signalled (to the Forum on 9 December 2020 Document MH) some potential spending pressures, especially within Pupil Admissions. A final reconciliation will take place within the Council's year end closedown process and we will present to the Forum in July 2021 the final balances position for the CSSB for the end of the 2020/21 financial year. We have previously established with the Forum a policy of transferring any net overall under spend in CSSB budgets to the carry forward balance retained within the Schools Block. We transferred from the CSSB to the Schools Block £0.005m of surplus balance at the end of 2018/19 and £0.151m at the end of 2019/20. If the CSSB holds a net deficit balance at 31 March 2021, which is at a value lower than or equal to £0.156m, we would expect to charge this deficit to the Schools Block carry forward balance and we will ask for the Forum's approval to do this."

In presenting the balances position at Appendix 1 therefore, we have charged the £0.078m deficit from the CSSB to the Schools Block.

### **The Schools Forum is asked to approve this action.**

The spending pressure within Pupil Admissions is a matter that the Authority will carefully monitor. The Pupil Admissions budget in the 2021/22 CSSB planned budget was increased from £0.614m to £0.737m (to allow for the current pressure plus pay award and inflation).

### **The balance held within the Early Years Block at 31 March 2021**

In setting the planned budget for 2021/22 in January, we estimated that the balance held within the Early Years Block at 31 March 2021 would be £3.272m. We now initially confirm the balance to be £4.108m, increased by £0.836m on our estimate. £0.718m of the £0.836m relates to the funding of the early years entitlements. £0.118m relates to the other Early Years Block factors (Early Years Inclusion Fund, DAF, EYPP).

### **Details of the Item for Consideration**

Our forecast of a £3.272m balance included our estimate of the impact of the COVID-19 pandemic on early years entitlement costs for the spring term 2021; the net impact of the loss of Early Years Block funding, against the reduction in cost of early years entitlement allocations to providers, resulting from a reduction from 'normal' levels of entitlement take up recorded in the January 2021 Census. We also factored into our estimate some provision for additional entitlement funding costs, in anticipation that entitlement delivery would grow back towards normal levels during the spring term but after the January Census was taken. In this situation, although the Early Years Block would not receive additional funding, we would still have to cover the cost to providers of a greater volume of delivery of entitlement in the later part of the spring term.

In understanding the £0.836m increase in Early Years Block balance, at this stage, it is critical to identify that the full net cost to the Early Years Block of entitlement delivery for the spring term 2021, which was factored into our estimate of £3.272m, is not actually included in the £4.108m figure. The combined impact of the loss of Early Years Block funding, against the reduction in cost of allocations to schools (fully) and to PVI providers (partially), is still to be charged to the Early Years Block in 2021/22. The DfE will not confirm nor adjust 2020/21 Early Years Block allocations, to include the spring term 2021 final position, until later in autumn 2021. The Authority did adjust the majority of allocations for PVI providers for the spring term in the March 2021 funding adjustment and so the impact of this is included within the £4.108m figure. However, the adjustment for allocations for schools and academies, as well as the adjustments for all providers for claims submitted for growth in entitlement delivery later in the term, have been enacted between April and June 2021.

So, within the Early Years Block balance, initially confirmed at £4.108m:

- £0.530m is ring-fenced for the Disability Access Fund and for de-delegated funds.
- £0.615m is allocated to the 2021/22 Early Years Block planned budget (in support of maximising the value of the Universal Base Rates in 2021/22).
- A proportion of this balance (currently estimated at £0.20m) will be needed to cover the net charge to the Early Years Block that is still to be actioned carried over from spring term 2021. This will be the net of the reduction in Early Years Block funding minus the outstanding reduction in the cost of entitlement funding allocations to providers. On current figures, we estimate that our Early Years Block funding will reduce by £1.20m due to lower numbers recorded in the January 2021 Census. Against this, allocations to providers relating to spring term 2021 have been reduced by a further £1.00m between April and June. This means that we currently estimate there will be a £0.20m additional net charge to the 2021/22 Early Years Block in respect of spring term 2021 entitlement arrangements.

The position of the Early Years Block, with reference to the impact of spring term 2021 arrangements, is discussed in more detail in Document ND under agenda item 12.

### **Recommendations**

- (1) The Schools Forum is asked to note the information presented.**
- (2) The Schools Forum is asked to approve the transfer of £0.078m to the Central Schools Services Block (CSSB) of surplus balance held within the Schools Block in order to write off the deficit balance held within the CSSB at 31 March 2021.**

### **List of Supporting Appendices / Papers** (where applicable)

Appendix 1 – Initial Confirmation of DSG Balances held 31 March 2021

### **Contact Officer** (name, telephone number and email address)

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## Schools Forum Document NA Appendix 1 7 July 2021

### Initial Confirmation of DSG Balances held at 31 March 2021

Please note that this initial DSG balances statement is not yet inclusive of the final Early Years Block allocation adjustment for 2020/21, which will be confirmed by the DfE by November (this is later than usual due to the amended timescale and process for calculating and reconciling spring term 2021 Early Years Block funding). Final confirmed DSG balances, incorporating the outstanding Early Years Block adjustment, will be presented to the Schools Forum as soon as possible in the autumn (but probably December). The individual Schools Block, High Needs Block and Central Schools Services Block balances however, are now confirmed and will not change.

	<b>Schools Block</b>	<b>High Needs Block</b>	<b>Early Years Block</b>	<b>Central Schools Services Block</b>	<b>Total DSG Balances</b>
Forecast (presented Jan 2021)	£6.550m	£15.449m	£3.272m	£0.000m	£25.271m
<b>Initial Confirmation Presented July 2021</b>	<b>£6.652m</b>	<b>£16.790m</b>	<b>£4.108m</b>	<b>£0.000m</b>	<b>£27.550m</b>
<b>Difference £</b>	<b>+ £0.102m</b>	<b>+ £1.341m</b>	<b>+ £0.836m</b>	<b>£0.000m</b>	<b>+ £2.279m</b>
<b>Difference as a % of DSG Block Value</b>	<b>0.02%</b>	<b>1.66%</b>	<b>1.94%</b>	<b>0.00%</b>	<b>0.40%</b>
Value committed within 2021/22 Planned Budget	£0.430m	£0.235m	£0.615m	£0.000m	£1.280m

Within the Schools Block balance of £6.652m are the following confirmed 'ring-fenced' balances:

- Growth Fund £1.386m (as forecast)
- Falling Rolls Fund £0.500m (as forecast)
- De-Delegated Funds £1.242m (+ £0.151m on forecast)

Within the Early Years Block balance of £4.108m are the following confirmed 'ring-fenced' balances:

- De-Delegated Funds £0.072m (as forecast)
- Disability Access Fund £0.458m (- £0.0015m on forecast)

Please note that Central Schools Services Block closed with a total combined deficit of £0.078m. As stated in Document MU (paragraph 5.3), presented to the Schools Forum on 13 January 2021: "We have signalled (to the Forum on 9 December 2020 Document MH) some potential spending pressures, especially within Pupil Admissions. A final reconciliation will take place within the Council's year end closedown process and we will present to the Forum in July 2021 the final balances position for the CSSB for the end of the 2020/21 financial year. We have previously established with the Forum a policy of transferring any net overall under spend in CSSB budgets to the carry forward balance retained within the Schools Block. We transferred from the CSSB to the Schools Block £0.005m of surplus balance at the end of 2018/19 and £0.151m at the end of 2019/20. If the CSSB holds a net deficit balance at 31 March 2021, which is at a value lower than or equal to £0.156m, we would expect to charge this deficit to the Schools Block carry forward balance and we will ask for the Forum's approval to do this."

In presenting the balances position here therefore, we have charged the £0.078m deficit from the CSSB to the Schools Block.

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## SCHOOLS FORUM AGENDA ITEM

For Action

For Information

**Brief Description of Item** (including the purpose / reason for presenting this for consideration by the Forum)

**This report presents the position of revenue balances held by maintained schools at 31 March 2021.**

**Date (s) of any Previous Discussion at the Forum**

The Forum receives information on the position of maintained school balances in summer term each year.

**Background / Context**

The financial year for maintained schools runs from 1 April to 31 March. At the end of each financial year, schools are required to ‘closedown’ their accounts and to finalise the values of revenue and capital balances held at this point. This information is forwarded to the DfE and is publicly published. The Authority’s Deficit Budget Protocol is in place to manage schools that hold (or forecast to hold) deficit revenue balances. Maintained schools are permitted to carry forward surplus revenue balances. However, maintained schools with revenue balances of a value in excess of 4% (Secondary) or the greater of £60,000 or 6% (all other schools but with additional flexibility for high needs providers) of funding must comply with the Authority’s Surplus Balances Protocol, which requires schools to assign the values of excess balances to spend on permitted schemes. The types of expenditure for which balances above the thresholds can be held are restricted to the following:

- A revenue contribution to an agreed capital scheme, only where capital resources are not sufficient.
- A revenue contribution to a ‘spend to save’ scheme, including energy efficiency schemes.
- Balances earmarked to support the costs incurred by the review of contracts of a significant value, where expenditure is not even year on year, including Building Schools for the Future.
- Managing the costs of expansion of pupil numbers.
- Managing financial difficulties associated with a budget reduction in the following financial year, resulting from either a significant reduction in pupil numbers or a loss or significant reduction of a specific funding stream.
- Managing exceptional circumstances in such a way as to avoid significant financial turbulence that may impact on standards. This may include, for example, outcomes of HR processes.

As part of our COVID-19 pandemic response, the Authority suspended the application of the Surplus Balances Protocol at March 2020 and at March 2021 and did not require schools to submit returns. The Authority is currently having conversations with schools that held balances above their (not applied) thresholds to identify how these balances are planned to be used.

**Details of the Item for Consideration**

The table below summarises the overall positions for each phase and gives a comparison against the absolute positions of balances held by maintained schools at 31 March 2020.

	March 2021	March 2020	£ Difference
Nursery	£1.353m	£0.964m	+ £0.389m
Primary	£10.549m	£7.517m	+ £3.032m
Secondary	- £2.077m	- £2.108m	+ £0.031m
Special	£2.925m	£1.284m	+ £1.641m
PRUs	£0.241m	£0.243m	- £0.002m
<b>Total</b>	<b>£12.991m</b>	<b>£7.900m</b>	<b>+ £5.091m</b>

Please note that the totals above are affected by the reduction in the number of maintained schools as schools convert to academy status. Balances held by academies are not included within the Authority’s reporting. At 31 March 2021, 14 fewer primary schools were maintained by the Local Authority than at 31 March 2020. The 14 schools that have converted to academy status during 2020/21 held revenue balances in total of £0.832m at 31 March 2020.

The table below gives an analysis of the balances positions by phase having removed the ‘distorting’ effect of the conversion of maintained schools to academies during 2020/21.

### Details of the Item for Consideration

	<b>March 2021</b>	<b>March 2020</b>	<b>Difference</b>
Nursery	£1.353m	£0.964m	+ £0.389m
Primary	£10.549m	£6.685m	+ £3.864m
Secondary	- £2.077m	- £2.108m	+ £0.031m
Special	£2.925m	£1.284m	+ £1.641m
PRUs	£0.241m	£0.243m	- £0.002m
<b>Total</b>	<b>£12.991m</b>	<b>£7.068m</b>	<b>+ £5.923m</b>

The total gross value of surpluses held at 31 March 2021, by 83 schools, is £17.896m (which is + £6.425m on surpluses held at March 2020). The gross value of deficits held by 3 schools is £4.905m (which is + £0.502m on deficits held at March 2020).

The total value of revenue balances held by maintained schools at the end of 2020/21 has increased. Revenue balances have increased in 77% of our 86 maintained schools (66 schools) at March 2021 compared with March 2020. Correspondingly, revenue balances have decreased in 23% (20 schools). The overall growth in the value of surplus balances is more complex in detail than appears on the surface. The growth of balances is somewhat concentrated. Balances increases in 12 of the 66 schools explains 51% of the growth in gross surpluses; balances in 26 of the 66 explains 75% of the growth.

We identify that there are a number of complicated factors that have contributed to this position, including the COVID-19 pandemic, and these factors have clearly impacted differently on the financial year end positions of schools. In discussing revenue balances with schools to date, we have identified that one of the key reasons for growth is that previously planned activity (and planned spending) has been delayed into 2021/22. We have also identified that schools are now carefully reviewing prior planned activities alongside new decisions to ensure that their use of their resources, including their balances, supports catch up activities. So we assess that the full extent of the impact on school budgets of the COVID-19 pandemic, since March 2020, will take further time to unwind. The financial implications of COVID-19 on the DSG, and on DSG funded schools and other providers, is a matter that the Schools Forum will continue to closely monitor.

The table above presents the following picture by phase at 31 March 2021:

- The total value of balances held by maintained nursery schools has increased. The balances of 5 out of 7 schools have increased. The balances of 2 schools have decreased, with 1 of these schools holding a deficit balance at March 2021.
- The total value of balances held by primary schools has increased. 53 schools (78%) have increased and 15 (22%) schools have decreased their balances. There are no primary schools holding revenue deficit balances at March 2021.
- The total net value of balances held by secondary schools in total at March 2021 is essentially the same as held at March 2020. Within this, 4 of 6 schools have increased their balances and 2 of 6 have decreased their balances. The secondary sector is in deficit overall due to the deficit position of 1 school. The deficit balance of this school has increased by £0.521m in 2020/21.
- The total value of balances held by the special schools has substantially increased at March 2021, with the balances held by all 3 schools increasing. No special schools held deficit balances.
- The total value of balances held by the 2 PRUs at March 2021 is essentially the same as held at March 2020. 1 PRU held a deficit balance, which will be supported (as planned) by the Schools in Financial Difficulty fund held within the High Needs Block. This PRU closed on 31 March 2021.

The table below shows the number of maintained schools by phase by revenue balance held at March 2021 as a % of funding:

	<b>Nursery</b>	<b>Primary</b>	<b>Secondary</b>	<b>Special</b>	<b>PRUs</b>
Deficit	1	0	1	0	1
Up to 1%	0	1	0	0	0
1% - 2%	0	3	0	0	0
2% - 4%	0	4	1	0	0
4% - 6%	0	18	0	0	0
6% - 8%	0	9	3	0	0
8% - 10%	0	13	1	0	0
10% - 20%	3	19	0	2	1
> 20%	3	1	0	1	0

**Details of the Item for Consideration**

The table below shows the median average value of net balances by phase:

	<b>Median Mar 2021</b>	<b>Median Mar 2020</b>	<b>Change</b>
Nursery	£127,563	£98,455	+ £29,108
Primary	£119,407	£82,026	+ £37,381
Secondary	£610,500	£383,929	+ £226,571
Special	£1,001,806	£365,929	+ £635,877
PRUs	£102,643	£119,442	+ £1,202
<b>Total</b>	<b>£126,181</b>	<b>£93,313</b>	<b>+ £32,868</b>

**Recommendations**

The Schools Forum is asked to note the information provided on maintained school balances.

**List of Supporting Appendices / Papers** (where applicable)

None

**Contact Officer** (name, telephone number and email address)

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## Schools Forum Document NC

### REVIEW OF SPEECH AND LANGUAGE THERAPY (SLT) FUNDED THROUGH THE HIGH NEEDS BLOCK

#### 1. SUMMARY

This document is to review the SLT provisions funded through the High Needs Block of the Dedicated Schools Grant and propose changes to arrangements from September 2021.

#### 2. BACKGROUND

- 2.1. The LA and CCG have a duty to consider how provision to meet the needs of Children and Young People with SEND, aged 0-25, will be jointly commissioned. This includes Speech and Language Therapy provision.
- 2.2. It has been agreed that a review will take place jointly between the local authority and the CCG to look at the current model for SLT and any potential improvements that can be made to joint commissioning arrangements. This should identify options for future commissioning to meet the needs of children and young people across Bradford, and should ideally take account of provision commissioned by schools and colleges and include schools and colleges in the review to identify appropriate future commissioning plans. There is no timescale yet identified for this review and for any options to be put in place. Given the complexities of the CCG funding and contract arrangements it is likely that a new model would take a number of years to implement.
- 2.3. Whilst this wider review is undertaken there is a more immediate need to consider the current arrangements that are funded through the High Needs Block.
- 2.4. There are currently 3 separate arrangements funded from the High Needs Block in place within the Department of Children's Services. The Providers are the Bradford District Care NHS Foundation Trust and the Airedale NHS Foundation Trust. These are:

- **Resourced Provisions (RP) delivered by both Bradford and Airedale NHS**

Delivery of an enhanced level of SLT support in RP schools reflecting the higher level needs of the pupils placed there by the Council. This is in addition to the Core offer funded by health, and should not replace that offer. SLT Reports contribute to a pupil's EHCP. Pupils in SCLN provisions require intensive and on-going specialist SLT intervention, therefore, regular sessions are allocated to these provisions. Sessions include environmental modification, staff training and support, bespoke groups and individual therapy. The SLTs are an integral part of the RP and wider school staff. The current SLAs include 7 half days for 7 Schools from Airedale and 22 half days for 16 Schools from Bradford, 12 of these half days are dedicated to the 3 x SLCN Schools. The history of these contracts have determined the provision that is commissioned.

- **Specialist provision for Hearing impaired children**

This Contract went out to competitive tender and provides SLT services to children within the Sensory Service. A highly specialist SLT provides services to children in the Additionally Resourced Centres (ARCs) based at three Schools in Bradford. They hold a caseload of approximately 80 children. A specialist SLT provides services to children supported by the Early Years Outreach team. They hold a caseload of approximately 160 children, involvement is a mixture of advisory, programme provision to be delivered by teachers of the deaf and 1-2-1 intervention.

- 2.5. In addition to the above Contracts, the CCG's fund a 'Core Contract' which is to provide evidence-based services that anticipate and respond to the needs of individuals who experience speech, language, communication or swallowing difficulties. Speech and language therapy works in partnership with these individuals and their families and with other professionals and agencies to reduce the impact of these often isolating difficulties on people's wellbeing and their ability to participate in daily life. Services are provided at various NHS settings and numerous non-NHS settings as well as home visits.
- 2.6. The 'Core Contract' covers both adults and children across Bradford and Craven and is delivered by Bradford District Care NHS Foundation Trust and Airedale NHS Foundation Trust.

### **3. KEY ISSUES**

- 3.1. There are immediate issues in terms of delivery with the 2 x RP Contracts. Bradford has expanded the number of Resourced Provision places in response to increasing demand. Bradford and Airedale NHS have been asked to include these in their offer, but with no additional funding for SLT. The Providers identify that this is resulting in already stretched resources being stretched even further, thereby not really offering an 'enhanced' service. The current service has been reconfigured to meet the increased number of places required, however this has been designed around the available budget, rather than based upon need. The arrangements in place in 2017/18 were for 4 RPs in Airedale and 11 RPs in Bradford. The contract for 20/21 covers 7 RPs in Airedale and 16 RPs in Bradford. A total increase from 15 to 23 RPs.
- 3.2. The contracts for Resourced Provisions and Hearing Impaired are contracts delivering training, advice, small group work and one to one specialist intervention for Speech, Language, Communication and Interaction needs and also for needs as a result of delayed and/or disrupted language and communication development due to Deafness and hearing impairment in order to support language development, communication and interaction. Also to provide specialist advice and reports to support the Annual Review process, individual target setting around speech production and expression.
- 3.3. The current contract for Hearing Impaired provision has been agreed with the provider to continue until September 2022. The earliest date that all Council contracted provision could be brought under a single arrangement is from September 2022, it is the intention of the Council to move to a single contract for provision in the RPs and ARCs from September 2022. This will be a tendered process to ensure that the best quality offer is available for children and young people in these provisions.

Ahead of this process it is suggested that changes to delivery are made with the next academic year in order to ensure provision is in place to respond to the increased number of RP places within the District.

#### 4. BUDGETS

- **RP Airedale (£38,995) & Bradford. (£134,890)** Funded by the Dedicated Schools Grant (DSG) High Needs Block.
- **Hearing Impaired Contract (£71,873).** Funded by the Dedicated Schools Grant High Needs Block.

#### 5. CURRENT REQUIREMENTS

- 5.1. There is an immediate need to look at the contract values for Resourced Provisions. Recent review by service leads and the commissioning team identifies a need for increasing the level of resource to meet need in RP provision.
- 5.2. The current contracts were put in place for RPs with the following specialisms: ASC; SLCN and Learning Difficulties. The provisions not included in Contract are: Visual Impairment; SEMH; Physical Difficulties and SEND KS1. At present Airedale deliver 1 half day in each RP, all of the RPs in the Airedale contract are for ASC. At present Bradford deliver a set number of half days allocated for the year to the SLCN RPs. For ASC and LD provisions schools submit requests for a specific service and specific time is allocated by SLTs on a termly basis. This means there is a difference in the level of access to provision across the RPs.

	<b>No on Roll</b>	<b>No of Places</b>	<b>No of Schools</b>	<b>No of half days</b>
Airedale	67	88	7	7
Bradford	231	325	16	22
	298	413	23	29

The current number of sessions delivered is 29 per week for RPs with 413 places. The current contract values are:

	<b>Contract Value</b>
Airedale	£46,897.00
Bradford	£134,985.00
<b>TOTAL</b>	<b>£181,882.00</b>

- 5.3. **Required Provision.** It is proposed that provision is put in place to include service delivery in all Resourced Provisions for SLCN and ASC, based on 95% of the available places being full. This is based on the fact that children and young people in these provisions have significant speech, language and communication needs. It

would also include some provision in Resourced Provisions for SEMH, based on 15% of the places being for children and young people with a secondary need of SLCN. The number of children for sessions to be allocated to will be 95% of the number of places for SLCN and ASD provisions and 15% of the number of places for SEMH provision. It would not include delivery in Special Schools or Resourced Provisions for Visual Impairment; Physical Difficulties; Learning Difficulties and SEND KS1.

It is based on RPs getting an adequate no of half days (based on approx. a half day per week per 6 places). This formula is used to calculate the funding, it does not set the delivery requirements. It will be in agreement between the service provider, the local authority and the RPs that weekly sessions are allocated to RPs, in response to levels of need.

	<b>No of Places (SLCN and ASD)</b>	<b>No of Places (SEMH)</b>	<b>No of Schools</b>	<b>Number of children (95% SLCN and ASC + 15% SEMH)</b>	<b>No of Sessions</b>
Airedale	88	0	7	84	14
Bradford	174	70	18	176	28
	250	70	25	259	43

The number of sessions delivered would be 43 per week for RPs with 320 places.

	<b>Contract Value</b>
Airedale	<b>£95,000</b>
Bradford	<b>£176,660</b>
<b>TOTAL</b>	<b>£271,660</b>

The providers will be required to utilise resources in the most effective way to meet the individual needs of children and young people. This means that they will consider the needs in the Resourced Provision for the area they cover and will deliver support to RPs in a way that prioritises the children and young people with the highest level of need.

- 5.4. This sets the requirements for this academic year. There is an expectation that numbers will increase further so future years will require further review. If we build in an allowance for the expected 5% increase in places over the next 2 to 3 years to academic year 2022/2023 This would increase the budget by 5% to £285,243.

## **6. PROPOSAL**

- 6.1. It is proposed that the existing contract model continues with the current Providers through the issue of new contracts for another year for the separate services but the level of resource for the RP contract increases.

- 6.2. The commitment of an additional £89,778 for the Resourced Provision contracts is requested for September 2021.**
- 6.3. There will be an additional requirement for additional approx. £13,583 by September 2023 if we take in to account the expected 5% growth.**
- 6.4. The joint commissioning review with CCG and Public Health commissioners will determine long-term arrangements, in the meantime the RP and Hearing Impaired contracts will be retendered for September 2022 to ensure value for money is delivered whilst the joint commissioning work is undertaken.**

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## SCHOOLS FORUM AGENDA ITEM

For Action



For Information



**Brief Description of Item** (including the purpose / reason for presenting this for consideration by the Forum)

This report provides an update on matters relating to the Early Years Block. This report, in particular, includes a response to the action recorded from the 10 March Forum meeting, that a report be presented to enable the Schools Forum to analyse the impact of the COVID-19 situation on early years entitlement funding in schools in the spring term 2021, from which the Forum will be asked to further consider the request submitted by a Forum Member for the Local Authority to protect the early years entitlement funding in schools that restricted attendance. The Forum is asked to consider the Authority's proposed response to this request.

**Date (s) of any Previous Discussion at the Forum**

Issues relating to the Early Years Block were most recently presented in Document MX on 10 March 2021.

**Background / Context**

The minutes of the 10 March 2021 meeting record,

“Document MX included an explanation of the current position, and difficulties, regarding the application of the Early Years Single Funding Formula for the spring term 2021 and the completion of the January Census with reference to the DfE's guidance.

Following the Business Advisor's introduction, the Member representing maintained primary schools was invited to raise his question, which was submitted to the Chair prior to the meeting. The Member asked whether the Local Authority will financially support any shortfalls in funding that might be incurred by those schools who only partially opened their nursery provision in the spring term to ensure safe operating procedures and to reduce risk. The Member stated that the Authority has said that it will do all it can to support schools manage the COVID-19 situation. The Authority, with the Schools Forum, in previous years has supported schools financially in different ways in different circumstances. The Member requested that the Authority now provides financial support in this circumstance.

In response, the Business Advisor recognised that this is a matter that the Authority expects the Forum to monitor and to consider. He explained that there are number of complicated considerations, including those related to fairness and equity, and that he would expect that the Authority, with the Schools Forum, would form its view on this request having had sight of the full financial impact on schools and with a full understanding of the knock-on consequences. The Business Advisor suggested that the Forum resolves at this meeting to schedule this matter for further detailed consideration in May or in July (the timing being dependent on when the data is available to enable full consideration).”

Document MX is a useful reference point for the matter presented at today's meeting.

In this report, the Authority indicated that there are 3 main factors for the Forum to consider:

- Low January Census numbers - It is anticipated that the numbers on roll that were recorded in early years provisions at the time the January 2021 Census was taken will widely be lower than normal. This will have implications for the DSG and for provider funding in the spring term, but also knock-on implications for the summer term.
- The DfE's January Census guidance - All providers nationally have been required to complete their January Census in line with the DfE's guidance. This guidance states (expressed simply) that all providers that in Census week closed their early years provisions, or restricted attendance e.g. to only vulnerable children and to the children of key workers, must not record on their January Census the funded hours for the children that were 'not permitted' by the provider to attend. Providers must also not record funded hours where children were not permitted to attend on-site but were able to access on-line learning.

This will have implications for the funded numbers recorded in the January Census at providers that were closed or partially closed in Census week. It will also have implications where providers remained closed or partially closed, as providers will have their entitlement funding reduced for these periods.

## **Background / Context**

- Growth in numbers and re-opening after the January Census - the lifting of restrictions from 8 March is likely to result in a growth in the numbers of entitlement funded children on roll with early years providers recorded later in the spring term. In our guidance, published in January, the Authority confirmed that all providers are able to claim entitlement funding in respect of children that are admitted on roll later in the spring term and that were not recorded in the January Census and / or where the provider was previously closed or partially closed but has re-opened. This approach seeks to ensure that providers that may have low January Census numbers, or may have closed or partially closed for periods earlier in the term, receive funding for their entitlement delivery later in the term.

We also stated in Document MX that,

- The Authority has been asking individual schools, academies and PVI providers directly to explain or to correct their returns where their January Census does not appear to be consistent with other information the Authority holds, such as weekly attendance information (updated - the Authority contacted 74 schools and academies and received emailed responses from 58 (explaining / resubmitting). Of the 16 from which emailed responses were not received, 13 are academies under the oversight of the DfE's census team).
- The Authority is also currently resolving quite a large (and greater than normal) number of duplicate children and 30-hour code issues (update – we resolved 39 duplicates relating to schools in spring 2021 whereas normally there are between 10-15; this is indicative of a greater movement of children).
- The Authority will permit providers to submit claims up until the end of the spring term for the later intake of entitlement children, or where the provider has been closed or partially closed for periods earlier in the term but has subsequently re-opened (update – 11 schools / academies have received additional payments from growth claims).

The following are important reference points for the consideration of the protection of schools / academies for the spring term 2021. It is important that protection is considered in context and not as an isolated issue,

- The Authority continues to identify the financial pressure faced by the maintained nursery schools. To a greater extent, this report is more responding to the request from the Forum Member for protection for primary schools / academies with nursery provisions and should be read as such.
- As required by the DfE, all early years providers were funded on protected entitlement delivery numbers in summer and autumn 2020. In respect of the autumn term, schools / academies received £0.933m more entitlement funding than they would have otherwise if funding had been based on actual participation recorded in the October 2020 Census. This protection was afforded by the DfE's change in methodology for its funding of the Early Years Block.
- Seeking to further support the early years sector, the Authority increased all provider funding rates by £0.20p per hour for the autumn term. In respect of schools / academies, this increased funding by £0.267m. This was afforded from Early Years Block reserves.
- Whilst not yet confirmed, we estimate that the DfE's '85% protection approach' to the funding of the Early Years Block for the spring term 2021 will not improve our funding on that calculated purely on the January 2021 Census entitlement numbers. This is primarily because our final 3&4-year-old numbers, recorded in the January 2021 Census, are expected to be higher than 85% of the numbers recorded in January 2020.
- We are uncertain about the financial position of the Early Years Block in 2021/22. The national methodology for Early Years Block funding has been amended and how this relates to the numbers recorded by providers in their termly censuses (which the Authority will fund as usual) will dictate whether there is a greater or lower level of pressure on the EYB than we estimated when we set the 2021/22 planned budget back in January. We sought to be cautious. For example, we transferred the EYB's contribution to early years high needs activities back to the High Needs Block with the aim of providing headroom within the EYB to support the management of unexpected levels of cost pressure. We are unlikely to have a clear sense of the position of the EYB in 2021/22 before the autumn costs are known.
- The financial positions of all providers and schools in 2021/22 in respect of early years entitlement delivery will be significantly influenced by how numbers respond back to 'normal' levels. Again, this is a picture that will only become clearer during the year as the termly censuses are taken. Alongside the impact of the COVID-19 pandemic, a significant (perhaps more significant for the medium term) consideration is the impact on the sector as entitlement numbers reduce following demographic trends. We are beginning to have some communications with schools, who are asking about this position and whether and how the Authority can support schools to manage this going forward. Within this, the Authority is also currently considering how we can use available resources to promote the take up by eligible children of the 2-year-old entitlement offer. The Authority views this as an important part of our early years COVID-19 recovery strategy and, as such, this is likely to come into discussions around the allocation of the 2022/23 Early Years Block, including the use of balances.

## Details of the Item for Consideration

### Summary of the position of Early Years Block (as calculated / estimated so far)

Expanding on the carry forward balances summary provided in Document NA, the table below sets out the position of the Early Years Block that is calculated / estimated so far, including the adjustments that have been made to provider funding for the spring term 2021 (using the DfE's expected approach and as we set out in our guidance published in early January) and also including an estimate of the reduction in Early Years Block funding that the Authority will receive from the DfE for spring term 2021 due to lower recorded entitlement delivery numbers (after the DfE 85% protection approach has been applied). This calculation does not yet include any further financial implications relating to funding adjustments for the 2021/22 financial year. These implications are still uncertain.

Early Years Block balance held at March 2020 (end of 2019/20)	£4.600m
Estimated Balance EYB March 2021 (end of 2020/21) as presented 13 Jan 2021	£3.272m
Revised Balance EYB March 2021 (end of 2020/21) (Document NA)	£4.108m
A. Difference (increase in end of 2020/21 balance actual vs. estimate)	+ £0.836m
<i>The value of this increase that relates to entitlement funding (not ring-fenced)</i>	<i>+ £0.718m</i>
<b>B. Value of adjustments to provider funding relating to spring term 2021 that have been applied after 31 March 2021 (positive = provider funding has been reduced)</b>	<b>+ £1.000m</b>
C. Estimated reduction in EYB DSG funding still to be applied by the DfE in respect of the spring term 2021	- £1.200m
Overall net change in the EYB position vs. estimates following the initial confirmation of balances and including the outstanding adjustments to EYB funding and provider allocations in respect of the spring term 2021 (A + B + C)	+ £0.636m
Value of EYB balance already committed in 2021/22 planned budget or is ring-fenced	£1.145m
Revised estimated value of balance that is available to support the EYB going forward (including to meet unexpected costs in 2021/22) and from which the cost of spring term 2021 protection would be met	£2.763m

The £1.000m reduction in funding for the spring term 2021 recorded in the table above mostly relates to schools / academies and is split £0.164m for maintained nursery schools and £0.834m for classes in schools / academies. At the simplest level, this is the value of funding that schools / academies have 'lost' as a result of the differences between actual spring term 2021 entitlement numbers and the numbers that schools / academies were receiving funding for on an estimated basis, taken from the Confirmed Indicative Budgets that were fixed and published in March 2020. These Budgets, for the majority of schools / academies, will have estimated that spring 2021 delivery would be the same as achieved in spring 2020.

The majority of the adjustments required for differences between estimated and actual spring term 2021 entitlement delivery in the PVI sector were actioned in March 2021 and are therefore, already included within the £4.108m balance figure. Only £2,000 of the £1.000m adjustment in the table above relates to the PVI sector.

### Analysis of Entitlement Delivery Differences and Financial Impact on Schools / Academies

In overall terms, £0.164m represents a 12% reduction on spring term 2020 funding for maintained nursery schools. £0.834m represent a 16% reduction on spring term 2020 funding for entitlement delivery in classes in primary schools and academies.

The tables below show the number of hours all providers have been funded for in spring 2021 compared with spring 2020. This information gives an introductory insight into the extent of differences in delivery and in funding. It is difficult however, to isolate within this comparison, the extent to which reduction has been caused a) by closure or by restriction of attendance, b) by low numbers in open settings as a result of parental caution, and c) by reduction that would have taken place anyway due to demographic trends. Generally, we should exercise caution in concluding that the reduction in entitlement numbers funded in spring 2021 is purely the result of the implications of the COVID-19 pandemic and that the Authority and / or the DSG should step in to protect this against the expectations of the DfE.

Please note that the spring 2021 numbers recorded below are inclusive of the numbers added from additional claims for growth following the January 2021 Census.

### **3&4-Year-Old Entitlement Delivery (overall net)**

<b>Provider</b>	<b>Spring 2021</b>	<b>Spring 2020</b>	<b>Diff</b>	<b>21 as a % of 20</b>
PVI	1,058,074	1,114,110	- 56,036	95%
Maintained Nursery Schools	151,605	163,164	- 11,559	93%
Classes in Primary Schools / Academies	897,526	1,030,566	- 133,040	87%
<b>Totals</b>	<b>2,107,205</b>	<b>2,307,840</b>	<b>- 200,635</b>	<b>91%</b>

## Details of the Item for Consideration

### 2 Year-Old Entitlement Delivery (overall net)

Provider	Spring 2021	Spring 2020	Diff	21 as a % of 20
PVI	261,231	304,337	- 43,106	86%
Maintained Nursery Schools	33,006	52,110	- 19,104	63%
Classes in Primary Schools / Academies	65,568	87,660	- 22,092	75%
<b>Totals</b>	<b>359,805</b>	<b>444,107</b>	<b>- 84,302</b>	<b>81%</b>

This information indicates that the reductions in entitlement delivery numbers in spring term 2021 were generally greater in overall terms in the maintained nursery schools and classes sectors than in the PVI sector. Generally, the PVI sector overall appears to have retained a relatively high level of entitlement hours delivery. This is perhaps reflective of the degree of flexibility in the delivery of the entitlements across the PVI sector (and across a larger number of smaller providers), but certainly is evidence of the PVI sector's response to the clear message, from the DfE's guidance, that settings should remain open and should deliver the entitlements across the spring term in order to receive funding.

The delivery of the 3&4-year-old entitlement across all providers appears overall to have held more closely to previous levels than the delivery of the 2-year-old entitlement. The greater difference in the 2-year-old entitlement delivery is likely to be reflective of the impact of demographic reduction, recognising that the majority of the 2-year-old entitlement is delivered by the PVI sector and, by comparison, 3&4-year-old entitlement delivery held up for the PVI sector (i.e. there is a reason other than COVID-19 for why 2-year-old numbers have reduced).

The Authority has not received substantial wider communication from either the PVI sector or from schools / academies requesting financial support specifically in respect of the protection of spring term 2021 entitlement funding. The values of adjustments have been published for PVI providers in March and for schools / academies within earlier adjustment schedules and then in the June monthly payment statements.

In line with the DfE's guidance, the Authority does not expect to fund the PVI sector for the spring term other than on participation. So, in protecting funding levels schools that chose to close or to restrict attendance, the Authority (with the Schools Forum) would need to:

- Be comfortable (and be satisfied with the reasons) why we are now not acting in line with the DfE's guidance for the return to participation-led funding, and differently from our own approach we set out in our guidance published at the beginning of the spring term. This approach then informed how all settings have responded to deliver the entitlements under difficult circumstances.
- Comply with the 'fair and equal' condition of the DSG. This condition means that all sectors must be treated on an equivalent basis. This necessitates the adoption of protected arrangements for all.
- Identify funds (from the DSG) to pay for this protection and would need to understand and accept the knock on consequences of using these funds now rather than for support of the early years sector in the medium term.

**The Authority's conclusion and recommendation is that no further protection for schools / academies that chose to close or to restrict attendance in the spring term 2021 should be provided.**

As we indicated in discussing this request initially at the March Forum meeting, there is a substantial issue of principle with providing financial protection to schools that took the decision to close their early years provisions. This was not in line with the DfE's guidance. The Authority's guidance also set out at the beginning of term what would and would not be funded. Schools that remained open will successfully argue that they have had to manage a set of circumstances at their additional cost. Schools that remained open have also managed negative adjustments due to reduced numbers not associated with closure.

Whilst we can only do this for maintained schools, our cross-mapping of the values of negative adjustments with surplus balances held at the end of the 2020/21 financial year, and with 2021/22 planned budgets, strongly indicates that, whilst there are some points of pressure, schools have absorbed the impact of these adjustments into their budgets alongside the other positive and negative implications of the COVID-19 pandemic. The table below shows the total combined values of negative adjustments for spring term 2021 for the 2-year-old and the 3&4-year-old entitlements across all schools and academies.

	Maintained Nursery Schools	Classes Schools / Academies
No. of schools / academies	7	119
No. that are losing funding	7	87
Gross £value of losses	£0.164m	£0.982m
Median average loss £value	£24,771	£8,643
Loss Range <£5k	1	28
Loss Range £5k - £15k	2	34
Loss Range £15k - £30k	1	22
Loss Range £30k - £45k	2	2
Loss Range > £45k	1	1

### **Details of the Item for Consideration**

Document NB gives a summary of balances held by maintained nursery and primary schools at the end of the 2020/21 financial year. Had we applied the spring term adjustments in March 2021, rather than in June 2021, the adjusted balances of maintained schools with early years provisions, held at March 2021, would still have increased by £3.82m on balances held at March 2020. As Document NB explains, whilst the full financial impact of the COVID-19 pandemic will take further time to unwind, this balances position and 2021/22 budget submissions does not provide a strong rationale for further protections for early years funding for spring term to be allocated retrospectively to schools. This data suggests that the bigger concern should be the forward-impact of early years funding changes, numbers recovery in 2021/22 (and the impact of the DfE's change in EYB method) as well as the impact of demographic reduction.

The Authority collected weekly attendance (and opening and closed information) from schools and early years providers. The returns for the January Census week, week commencing 18 January 2021, indicated that 13 schools / academies had fully closed their nursery provisions in this week. This information also indicated that, in some schools, attendance was in line only with numbers of vulnerable children and children of key workers (suggesting that attendance may have been restricted). It is from this information that the Authority emailed schools / academies directly to ask them to verify their positions. The vast majority of responses confirmed that it was parental caution, rather than the setting restricting attendance, that had produced lower attending numbers.

The Authority's funding approach for the spring term specifically included the opportunity for all schools to submit claims for growth later in the term. As such, the Authority has already sought to support the funding of schools facing difficult circumstances at the start of the term.

As indicated earlier in this report, alongside the impact of the COVID-19 pandemic, a significant (perhaps more significant for the medium term) consideration is the impact on the sector as entitlement numbers reduce following demographic trends. We are beginning to have some communications with schools, who are asking about this position and whether and how the Authority can support schools to manage this going forward. Within this, the Authority is also currently considering how we can use available resources to promote the take up by eligible children of the 2-year-old entitlement offer. The Authority views this as an important part of our early years COVID-19 recovery strategy and, as such, this is likely to come into discussions around the allocation of the 2022/23 Early Years Block, including the use of balances.

The Authority would wish to use the resources currently available within the Early Years Block, including balances (the estimated £2.763m), to continue to protect the Block against unexpected circumstances and also to maximise the funding delegated to providers going forward, recognising that we are already consistently using c. £0.50m of balances annually in support of our Early Years Single Funding Formula and Universal Setting Base Rates. We also have important decisions to take in respect of the cost of our Deprivation and SEND Supplement. We would recommend that the Forum views the balances held in the Early Years Block in this context. To this end, the Authority expects to discuss the position further with the Early Years Working Group and will make recommendations back to the Schools Forum to consider for 2022/23 arrangements.

Finally, to remind the Forum, the Authority does continue to identify the financial pressure faced by the maintained nursery schools. To a greater extent, this report is more responding to the request from a Member for consideration of protection for primary schools / academies with nursery provisions that chose to close and should be read as such.

### **Implications for the Dedicated Schools Grant (DSG) (if any)**

As set out in the report.

### **Recommendations**

#### **Recommended –**

- (1) The Schools Forum is asked to note the information presented.**
- (2) The Forum is asked to provide feedback on the Authority's proposed response, as set out in this report, to the request to protect the spring term 2021 early years entitlement funding of schools that restricted attendance.**

### **List of Supporting Appendices / Papers (where applicable)**

None

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## SCHOOLS FORUM AGENDA ITEM

For Action

For Information



**Brief Description of Item** (including the purpose / reason for presenting this for consideration by the Forum)

**This report provides an overview / introduction to local formula funding review priorities for 2022/23.**

**Date (s) of any Previous Discussion at the Forum**

The Schools Forum made its recommendations on the 2021/22 DSG and formula funding arrangements on 13 January 2021.

**Background / Context**

See the details for consideration below.

**Details of the Item for Consideration**

DSG, High Needs (SEND Reviews) & National Funding Formula Development

We are again in a period of uncertainty, with a lack of informed insight at this time into the shape and value of our DSG and of the National Funding Formula from April 2022. Please note that this report has been written in advance of any announcements from the DfE that might be made late June / early July. Any further information, if available, will be presented verbally.

In the context of the COVID-19 pandemic, and with reference to what has been said by the DfE earlier this year about the possible timescales for implementing the outcomes of the national SEND and Alternative Provision reviews, it might be reasonable for us to anticipate only a limited amount of technical change in national DSG and formula funding arrangements for the 2022/23 financial year. We might anticipate that larger scale changes will be planned for 2023/24 (which we will need to respond within our review work next year).

We normally begin to receive in July detailed information from Government on the next year's DSG and formula funding arrangements, which enables us to formulate plans for consultation, which we can then begin to discuss with schools, academies and other providers from early in the autumn term. We now await further announcements from the Government, in particular, on the following:

- The 2022/23 funding settlements for the Schools Block, the High Needs Block and the Central Schools Services Block (expected in July). Within this, the outcomes of the recent short consultations, including on the management of business rates and amendments to the High Needs Block historic protections. Also within this, how the final instalment of the DfE's 3 year £7.2bn increase in school funding is distributed, between the Schools Block and high needs and between funding for 'levelling up' and funding in support of additional educational needs and COVID-19 pandemic catch up response.
- The 2022/23 funding settlement for the Early Years Block and for Post 16, which will be governed by the timing of the autumn spending review (as these settlements are announced on a single year basis, we are unlikely to have an indication of these settlements before the middle of the autumn term). Within this, critically, the position of the funding of the Maintained Nursery School Supplement from April 2022.
- The technical development, and timescale for further movement towards the implementation, of the hard National Funding Formula within the Schools Block. Within this, the positions (and possible 'merger' into NFF) of the remaining recurrent additional grants, especially Pupil Premium Grant. Also within this, the position of other important Schools Block elements, such as de-delegation, the funding of PFI, the funding of Growth, support for smaller schools and the continuation of the Minimum Funding Guarantee.
- The outcomes of the DfE's holistic national SEND / AP system review and its impact on the High Needs Block and place-element and top up funding arrangements for EHCPs and for the funding of alternative provision. We understand that consultation on funding changes in response to these national reviews will come later in the year (affecting 2023/24 rather than 2022/23 arrangements). However, these reviews may have significant DSG funding implications and are likely to require substantial action from us in response. The DfE's reviews could alter a number of non-financial systems and frameworks relating to SEND and AP, but financially, amongst other things, it could affect the Place-Plus thresholds (the £6,000) and the value of place-element funding (the £10,000), SEND Funding Floor arrangements, how top up funding is calculated and administered, how notional SEND budgets are defined, how Alternative Provision funding responsibilities are aligned, how authorities are funded for hospital and medical home tuition provision, and the distribution of responsibilities between health, education and social care.

## Details of the Item for Consideration

### Bradford – Local Formula Funding Review

We have made a number of quite significant changes to our formula funding approaches across all the DSG Blocks since the beginning of National Funding Formula-based arrangements. We expect that our recent decisions and actions will inform how we will respond to announcements concerning 2022/23 DSG and formula funding arrangements and changes, when these are made. By way of re-cap, locally, we have:

- Moved to mirror the DfE's National Funding Formula (NFF) for primary and secondary mainstream formula funding within the Schools Block (we did this at April 2018). We would expect to continue to mirror NFF in 2022/23. This mirroring in the Schools Block has included the establishment of Minimum Levels of Per Pupil Funding, in 2021/22 at values of £4,180 (primary) and £5,415 (secondary). As in 2021/22, prior to any further amendment in response to the impact of the COVID-19 pandemic, we may reasonably expect the DfE to make adjustments to the primary & secondary NFF weightings and variable values to maintain the distribution of funding at national level when using updated October Census data. We also know that, following the DfE's consultation, adjustments will be made to the prior low attainment factor in 2022/23 in response to the cancellation of the usual summer assessments.
- Identified how significant decisions about the Minimum Funding Guarantee (MFG) will be going forward for the formula allocations received by individual mainstream schools and academies, especially in the primary phase. This is again likely to be a key recommendation for the Forum for 2022/23. We set the MFG at the maximum positive 2.0% in 2021/22. Forum Members are reminded that a sum of £0.917m of primary-phase headroom is carried over from 2021/22 and we have indicatively discussed using this to include the Reception Uplift factor for the primary phase within our 2022/23 formula on a one off basis.
- Identified issues related to falling rolls and under-subscription. The Schools Forum has a sub-group to discuss these issues and has established a primary-phase Falling Rolls Fund in the Schools Block. Further discussion is required on these issues, as reported to the Forum in March. We also need to consider more closely the financial implications across the DSG of moving to a position where our total of pupil numbers that is recorded annually in the October Census reduces rather than increases.
- Identified the funding of PFI (BSF) as an area to watch in the development of the Schools Block NFF.
- Within the Early Years Block, we began to reduce the proportion of our 3&4-year-old Early Years Single Funding Formula (EYSFF) that is allocated via the Deprivation & SEND supplement, with the intention to reduce this down over 3 years from 9.5% to the average of our statistical neighbours, which is currently rounded at 6% (5.7%), in support of maximising our Universal Base Rate. However, recognising the impact of the COVID-19 pandemic, we did not take the planned second step (to reduce from 8% to 7%) in 2021/22 and this is a matter for specific review for 2022/23. We have continued to allocate reserves (one off monies from brought forward balances) held within the Early Years Block to protect the value of the 3&4-year-old Universal Base Rate at its current year level of £4.25 per hour. We must continue to discuss how our EYSFF and Early Years Block arrangements can most effectively support the early years sector in their delivery of the early years entitlements going forward.
- Also within the Early Years Block, we implemented at April 2019 an amended holistic Early Years Inclusion Fund supporting emerging SEND. We have also identified the critical significance of pending DfE decisions concerning the continuation of the Maintained Nursery School Supplement. We have also indicated that we are currently exploring the introduction of a new single Bradford Provider Gateway for all providers to use to submit all their entitlement delivery information to the Authority. We aim to pilot this Gateway during 2021/22 with a view potentially to rolling this out for 2022/23. This new Gateway will allow us to consider whether our early years entitlement counting arrangements should adjust to be more responsive to changes in numbers within each term.
- Within the High Needs Block, at April 2020, we introduced a new Banded Model for the allocation of 'top up' funding for EHCPs. We also introduced a new Day Rate Model for the funding of the PRUs / Alternative Provision Academies for pupils permanently excluded. These models were consolidated and uplifted in 2021/22. For mainstream, we introduced for 2021/22, in trial for one year pending review, an amended SEND Funding Floor. The operation of this Floor will be a specific point of review for 2022/23. Since the introduction of the NFF, we have chosen not to adjust our definition of Notional SEND, but we have identified that this definition does need closer attention, including with reference to any changes that may be directed following the DfE's national SEND reviews.
- We have reviewed and re-shaped responsibilities, between the High Needs Block and mainstream schools and academies, in respect of the funding of alternative provision.
- We have presented a DSG Management plan to the Schools Forum (13 January 2021) and we have identified within this how the sufficiency of the High Needs Block settlement going forward is crucial to the affordability of our high needs provision development and our funding models in the future.

**Details of the Item for Consideration**

We anticipate at this time following the timetable that we have used in previous years for the development of consultation, and decision making, on DSG formula funding arrangements for 2022/23.

**This begins by inviting Forum Members to attend one of 3 Formula Funding Working Group sessions that have been arranged for Tuesday 28 September (8am), Wednesday 29 September (8am) or Tuesday 5 October (8am). As last year, these sessions will enable Forum Members to consider in more detail the impact of formula funding decisions and to explore and guide the proposals for 2022/23 that are anticipated will be set out for consultation in October. It is anticipated that these sessions will be held remotely.**

**Implications for the Dedicated Schools Grant (DSG) (if any)**

As set out in the report (this is an item for information)

**Recommendations**

- (1) The Schools Forum is asked to consider and to note the information provided.
- (2) Forum Members are invited to (remotely) attend a 'Formula Funding Working Group' session, on Tuesday 28 September (8am) or Wednesday 29 September (8am) or Tuesday 5 October (8am). As last year, these sessions will enable Forum Members to consider in more detail the impact of formula funding decisions and to explore and guide the proposals for 2022/23 that are anticipated will be set out for consultation in October.

**List of Supporting Appendices / Papers (where applicable)**

None

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