

Schools Forum
Wednesday, 17 May 2023 at 8.00 am

Venue – Remote Meeting

<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 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 Director of Legal and Governance (Monitoring Officer) 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.

From:
Asif Ibrahim
Director of Legal and Governance
(Monitoring Officer)

To:

Agenda Contact: Asad Shah (Governance Officer)
Committee Secretariat, City Hall, Bradford BD1 1HY
Phone: 01274 432280; E-Mail: asad.shah@bradford.gov.uk

3. **MINUTES OF 8 MARCH 2023 & MATTERS ARISING**

1 - 8

Recommended –

That the minutes of the meeting held on 8 March 2023 be signed as a correct record (previously circulated).

(Asad Shah – 01274 432280)

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 new allocations for consideration at this meeting.

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

9 - 26

The Business Advisor (Schools) will present a report, **Document PV**, which provides an update on the Forum's membership and composition and how the Local Authority will now seek to refresh the Forum's membership.

Members are asked to approve the proposed approach to the election of the Chair and Vice Chair of the Schools Forum for the 2023/24 academic year.

This report 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 Schools Forum is asked to approve the proposed approach to the election of the Chair and Vice Chair of the Schools Forum for the 2023/24 academic year.**
- (3) The Forum is asked to approve Appendix 2 (Forum Conduct of Meetings and Procedures) for the 2023/24 academic year.**

(Andrew Redding – 01274 432678)

7. **EARLY YEARS BLOCK AND EARLY YEARS ENTITLEMENTS - 15 MARCH BUDGET (a)** 27 - 30

The Business Advisor (Schools) will present a report, **Document PW**, which provides further details of the Government's 15 March 2023 Budget Statement: on the extension of the early years entitlements, on the allocation of additional Early Years Block monies for the delivery of the current entitlements from September 2023, and on the development of wrap-around provision in schools and academies.

At the time of writing this report however, the detailed information, which is required in order for us to decide our responses to the receipt of additional Early Years Block monies for the period September 2023 to March 2024, which is the most immediate matter, is still to be published by the DfE. We therefore, can only outline at this time how we anticipate these additional monies may be allocated and the wider matters that we need to consider. In its consultative role, we ask for views from the Schools Forum on this outline. Depending on the timing of the publication of further details, a report will be presented to the Schools Forum at the next meeting, which will set out how these additional monies will be allocated.

The Authority anticipates presenting a report to the next meeting, which will begin to more closely consider the formula funding changes that may need to be made from, and the financial implications for the DSG and for the Early Years Block of, the extension of the early years entitlements, beginning at April 2024. This will need to be worked through within our 2024/25 DSG and formula funding decision making cycle. The Local Authority expects to convene the Early Years Working group shortly to begin to consider these matters more closely.

Recommended –

- (1) **The Schools Forum is asked to consider and to note the information presented.**
- (2) **The Schools Forum is asked for any initial feedback on the allocation of the additional Early Years Block monies that Bradford will receive for the period September 2023 to March 2024, as outlined in the report.**

(Andrew Redding – 01274 432678)

8. **SCHOOLS BLOCK 'HARD' NATIONAL FUNDING FORMULA 2024/25 (i)** 31 - 34

The Principal Officer (Schools) will present a report, **Document PX**, which The Principal Officer (Schools) will present a report, Document PX, which provides an update on the DfE's development of the 'hard' National Funding Formula for the Schools Block. This information is

critical in our development of our 2024/25 DSG and formula funding proposals. It is also critical, as the DfE's SEND Green Paper improvement plan, which was published in March 2023, places emphasis on changes associated with SEND and Alternative Provision funding being managed within the development of the hard National Funding Formula.

Recommended –

The Schools Forum is asked to consider and to note the information presented.

(Jonty Holden – 01274 431927)

9. MAINTAINED SCHOOLS' OUTTURN (REVENUE BALANCES) 2022/23 (i) 35 - 38

The Business Advisor (Schools) will present a report, **Document PY**, which provides an overview of the position of revenue balances held by maintained schools at 31 March 2023.

Recommended –

The Schools Forum is asked to note the information provided.

(Andrew Redding – 01274 432678)

10. HIGH NEEDS BLOCK FINANCIAL FORECAST AND MITIGATION (i) 39 - 46

The Business Advisor (Schools), with support from the Assistant Director, SEND and Inclusion, will present **Document PZ**.

The Local Authority presented the latest version of the Authority's DSG Management Plan to the Schools Forum on 11 January 2023 (Document PP). Within this plan, the Authority stated that our forecast currently identifies that there is clear risk of a cumulative deficit building within our High Needs Block by the end of the 2025/26 financial year, as a result of recurrent structural in-year over spending, and that the risk of cumulative deficit by the end of the 2026/27 financial year is then high. We stated that our forecast identifies that mitigating action will need to be taken in order to prevent the accrual of a cumulative deficit balance within our High Needs Block, and that this will be a piece of work for the Authority to discuss within the Schools Forum during 2023. We indicated that mitigating action will need to be considered within the 2024/25 DSG and formula funding decision making cycle.

The Forum resolved on 11 January, that the Local Authority presents to, and discusses with, the Forum its 'mitigation plan', which is to be developed.

Document PZ provides an update and presents the beginnings of the considerations behind the development of 'mitigating' actions, for the Forum's awareness and review.

Recommended -

- (1) The Schools Forum is asked to consider and to note the information provided.**
- (2) The Schools Forum is asked for its view on if (and how) it wishes to contribute more specifically to the development of a mitigation plan.**

(Andrew Redding – 01274 432678)

11. 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)

12. AOB / FUTURE AGENDA ITEMS

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

13. DATE OF NEXT MEETING

The next Schools Forum is planned for Wednesday 12 July 2023.

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

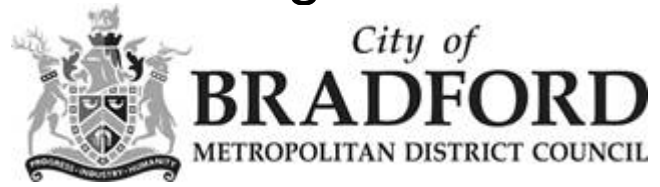
(i) *Denotes an item for information.*

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 17 May 2023

Schools Forum meeting held remotely on Wednesday 8 March 2023

To view the archived recording of this meeting, please see here:
<https://bradford.public-i.tv/core/portal/home>

Commenced 08:00
 Concluded 09:45

RECORD OF MEETING ATTENDEES, APOLOGIES AND ABSENCES

Schools & Academies Members

IN ATTENDANCE

Member	Membership Group
Ian Morrel (Chair)	Maintained Secondary Schools – Headteacher
Ashley Reed (Vice Chair)	Academies Member
Wahid Zaman	Academies Member
Helen Williams	Academies Member
Brent Fitzpatrick OBE	Academies Member
Amanda Sloney	Academies Member
Mathew Atkinson	Academies Member
Victoria Birch	Academies Member
Melanie Saville	Academies Member
Sarah Murray	Academies Member
Richard Bottomley	Academies Member – Alternative Provision Academies
Bev George	Maintained Nursery Schools – Governor
Sian Hudson	Maintained Nursery Schools - Headteacher
Emma Hamer	Maintained Primary Schools – Governor
Graham Swinbourne	Maintained Primary Schools - Headteacher
Kathryn Swales	Maintained Primary Schools - Headteacher
Lyndsey Brown	Maintained Special Schools - Headteacher

APOLOGIES RECEIVED

Member	Membership Group
Heather Lacey	Academies Member
Michelle Farr	Academies Member – Special School Academies
Jonathan Nixon	Maintained Primary Schools - Headteacher

NOT IN ATTENDANCE (WITHOUT APOLOGIES RECEIVED)

Member	Membership Group
Andrew Morley	Academies Member
Kirsty Ratcliffe	Pupil Referral Unit (maintained)

Michael Thorp	Academies Member
Nicky Kilvington	Maintained Primary Schools - Headteacher

Non-Schools Members

IN ATTENDANCE

Member	Membership Group
Tom Bright	Teaching Unions
David Johnston	Officer Representing Vulnerable Children

APOLOGIES RECEIVED

Member	Membership Group

NOT IN ATTENDANCE (WITHOUT APOLOGIES RECEIVED)

Member	Membership Group
Junaid Karim	Council for Mosques (Bradford)

Substitute Members present at the meeting as a Member (not as an Observer)

Substitute Member	Membership Group

Substitute Members present at the meeting as an Observer (not as a Member)

Substitute Member	Membership Group
Alison Kay	Academies Member

Local Authority Officers present at the meeting

Officer	Position
Niall Devlin	Assistant Director, SEND and Inclusion
Asad Shah	Committee Secretariat
Marium Haque	Strategic Director
Dawn Haigh	Principal Finance Officer (Schools)
Jonty Holden	Principal Finance Officer (Schools)
Emma Hamer	Strategic Manager, Intelligence and Sufficiency
Andrew Redding	Business Advisor (Schools)

40% of the School Forum's membership (filled membership positions) must be present for a meeting to be quorate. This meeting was quorate, with 70% of members present (19 out of 27 currently filled membership positions).

669. DISCLOSURES OF INTEREST

Emma Hamer declared an interest in all agenda items. Ian Morrel declared an interest in agenda item 7.

670. MINUTES OF 11 JANUARY 2023 & MATTERS ARISING

The Business Advisor (Schools) reported on progress made on “Action” items from the 11 January meeting. He reported that:

- **Item 657 (Primary PAN numbers):** A quick response was emailed to members shortly after the meeting. We have now provided, within the reports pack to this meeting, a table, which provides further information on PAN reductions in primary schools and academies. The Strategic Manager, Intelligence and Sufficiency added that the 8 primary schools and academies, that have proposed to reduce their PANs from September 2024, have now completed their consultations and have confirmed that these PAN reductions will be actioned.
- **Item 658 (DSG Growth Fund Allocations):** The agreed allocations have been paid.
- **Item 659 (Early Years Consultation):** The consultation was completed. An email was sent to members at the beginning of February explaining this, as well as the outcomes. Confirmation is included in Document PT, presented under agenda item 8.
- **Item 664 (High Needs Block):** On 11 January, the Forum requested that the Authority presents to, and discusses with, the Forum a ‘mitigation plan’, which is to be developed in response to the deficit that is forecasted to grow within the High Needs Block over the next 3 years. The Authority is at the beginnings of this process. We are also conscious that this plan will be informed by announcements e.g. the next steps for the national SEND and AP system and funding reviews, whether changes in EHCP financial systems are directed for the 2024/25 financial year and the further development of the National Funding Formula. We anticipate presenting the beginnings of a plan to the Forum in May. This will certainly begin to highlight the areas of investment / reduction and other changes or developments that will have (are likely to have, and / or will be needed to have) the greatest financial impact going forward, for further consideration. It is also likely that, subject to the timing of the DfE’s publications and announcements, the Forum’s May agenda will present the National Funding Formula developments (and any further consultations that the DfE may open).
- **Item 665 (Final Decisions and Formal Recommendations 2023/24 DSG):** Further update on this is presented under agenda item 8. The Council on 23 February accepted the Forum’s recommendations on the 2023/24 DSG and formula funding arrangements, without amendment. Our Schools Block APT return for 2023/24 has also now been accepted by the ESFA, again without amendment.

Resolved –

- (1) That progress made on “Action” items and Matters Arising be noted.
- (2) That the minutes of the meeting held on 11 January 2023 be signed as a correct record.

671. MATTERS RAISED BY SCHOOLS

No matters were raised and no resolutions were passed on this item.

672. STANDING ITEM - DSG GROWTH FUND ALLOCATIONS

No allocations were presented and no resolutions were passed on this item.

673. SCHOOLS BLOCK FALLING ROLLS FUND ALLOCATIONS 2022/23

The Principal Finance Officer (Schools) presented a report, Document PR, which provided an update for the Schools Forum on the application, in the 2022/23 financial year, of the Schools Block Falling Rolls Fund for mainstream primary phase maintained schools and mainstream primary phase academies. He explained that, as we have found in all previous years since the establishment of the Fund, there are again no primary schools or primary academies that qualify for funding. This is because the reduction in numbers in our primary phase is the result of longer-term demographic changes, rather than the result of short term 'blips', which the Falling Rolls Fund is in place to support. Within the presentation, the Business Advisor (Schools) reminded members that we expect the DfE, via the National Funding Formula reforms, to amend the operation of Growth and Falling Rolls Funding for 2024/25, and that this will be an area of review for us within the 2024/25 DSG and formula funding setting cycle.

Forum members made the following comments and asked the following questions:

- What dialogue is taking place with schools in the management of PAN reductions, as there are other factors that come into play, in addition to demographic trends, which may impact on the intakes of individual schools e.g. where an academy decides to increase its PAN. What can the Authority do if an academy decides to expand? The Strategic Manager, Intelligence and Sufficiency, responded to explain that the Authority approaches conversations with schools and academies within planning areas, and that these conversations are continual and are based on a robust forecasting model (our DfE place scorecard is very positive). Whilst there are other factors that come into play, demographic change is currently by far the most significant factor. It is very unlikely, in current circumstances, that any primary academy would propose a PAN expansion, and the Authority would express significant concerns (during the required consultation processes) in response to any such proposal.
- Could we reduce the Falling Rolls Fund trigger to lower than 90% occupancy to enable schools to access funding? The Business Advisor responded to explain that this would not alter the position, as, irrespective of the %, all schools and academies 'fail' the trigger that is set by the DfE, which requires the reduction in pupil numbers to be a short term 'blip' rather than a longer term trend.
- Does the Authority expect the same reduction trend in special schools,

including as a result of the SEND Green Paper (which places a focus on inclusion in mainstream)? The Strategic Manager responded that the Authority does not expect that the SEND Green Paper will alter Bradford's forecast, which is for the demand for specialist places to continue to increase.

In summarising the discussion, the Chair thanked members for their contributions and stressed that this is an important matter for the Forum to continue to monitor and to consider.

Resolved –

- (1) The Schools Forum noted that, as set out in Document PR, and following the agreed established criteria, there are no allocations to be made from the Schools Block Falling Rolls Fund in 2022/23.**
- (2) The Forum noted that the sum of £500,000 is confirmed as unspent within the Schools Block and is carried forward into 2023/24 as a ring-fenced sum.**

LEAD: *Principal Finance Officer, Schools*

674. SEND – 2021/22 EXCLUSIONS REPORT

The Assistant Director, SEND and Inclusion, presented the 2021/22 Exclusions Report, Document PS. This report was presented as per the High Needs Block schedule of information that was agreed with the Schools Forum on 14 October 2020.

Forum members made the following comments and asked the following questions:

- The Chair asked the Assistant Director to explain further how the Authority monitors its support interventions and the impact of these (how does the Authority monitor the success and impact of its strategy for 'right support at the right time')? The Chair stressed the importance of early intervention, as well as the importance of having capacity and the strategy in place to manage and predict changes in demand levels, as well as changes in (and possible future year pressures on) school and High Needs Block funding levels. Are we best placed to meet need now and in the future, and are there needs that we are currently not meeting (or are at risk of not meeting)? The Assistant Director responded to explain the key aspects of the Authority approach (a sophisticated data monitoring and tracking system; recent re-design of the teaching support and behaviour support services; multi-disciplinary discussions; work with mental health services; behaviour support services that are still free at the point of access for schools and academies; allocated Education Psychologist time for the PRU / AP Academy; the successful management and movement of pupils with EHCPs that were previously placed in the PRUs; working with the Youth Justice Service; the impact of the Behaviour and Attendance Collaboratives in the secondary sector). The Assistant Director added there are children and young people that do have

unmet needs, such as language needs, but that the Authority has taken steps to address this (e.g. restructuring the teaching support services) to focus on early intervention with aim of seeking to de-escalate needs growth.

- Do we have a sufficient number of special school and alternative provision places that are available for children and young people with persistent disruptive behaviour support needs? The Assistant Director responded that the Authority continually reviews the number of places against the data and is looking for ways to increase the number of places available.
- The member representing maintained special schools offered her view that there is place here for the Forum to dig deeper into how we are meeting needs, with special schools under stress and needs becoming more complex, and about how special schools can further support mainstream schools and academies. The member offered to be involved in further conversations and added that special schools are currently actively developing mainstream inclusion support. The Chair thanked the member for this offer and for her input. He emphasised that the Forum's focus is on the DSG and on the use of funding, with it being helpful for the Forum to think about a 'cost-benefit' analysis as a way of monitoring and further considering whether we are getting the most impact out of the funding that we have. The Assistant Director added that the Forum has already been instrumental in strategic discussions around the use of funding in this context, referring to the inclusion investment plan that was presented to the Forum in July 2022 following discussions within the Forum's sub-group. A member stated that the development of wider support is now starting to come through to schools.

Resolved – That the information presented in Document PS be noted.

675. MATTERS CONCERNING THE DEDICATED SCHOOLS GRANT

The Business Advisor (Schools) presented a report, Document PT, which provided an update on a number of matters relating to the Dedicated Schools Grant. The Advisor also took the opportunity to present the key messages from the DfE's improvement plan, which was published last week in response to the March 2022 SEND Green Paper publication.

In discussing the suggested letter to the Secretary of State, regarding the insufficiency of funding for the early years entitlement, a member suggested, and it was agreed, that this letter should also make comment about the very challenging financial position that is being faced by schools, especially in the light of projected pay awards.

It was also agreed that the letter include comment, in response to Bradford's bid for a new Free School Special Schools not being approved. The Strategic Manager, Intelligence and Sufficiency, explained to Forum members how, despite our application having scored very highly, our application has not been approved. She stated that this feels 'devastating' for the children and young people of Bradford. It appears that, as we are not currently in deficit within our High Needs Block, and although we have been approved for a free school previously (but then have not been successful in achieving a sponsor), our bid has been rejected. It was explained that there is no appeals process. The Strategic Director added that

this feels like Bradford is being penalised for good financial management and for the creative way in which additional specialist places have been created, behaviours which have not been present in other authorities. She explained that our elected members are angry, and are writing to ministers. The Strategic Manager provided the Forum with the re-assurance, that the Authority will continue to work creatively with schools to meet the needs of children and young people in Bradford. The Chair, as well as other Forum members, responded to share the Authority's strong disappointment. Referring to previous discussions that have been had in the Forum regarding the scale of growth in our spending on out of authority and independent school placements, a member commented that it feels exceptionally short-sited of ministers to reject Bradford's Free School bid at this time.

Resolved -

(1) The Schools Forum noted the information provided in Document PT.

(2) That the Chair, on behalf of the Schools Forum, writes to the Secretary of State on the issue of the Early Years Block funding settlement that Bradford has received for 2023/24. That this letter also asks for response on the financial challenges that are being faced by schools.

LEAD: *Business Advisor, Schools*

676. MATTERS CONCERNING SCHOOL AND ACADEMIES BUDGETS

The Business Advisor (Schools) presented Document PU, 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 2023-2026 3-year period.

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

Resolved - That the information presented in Document PU be noted.

677. SCHOOLS FORUM STANDING ITEMS

No matters were raised and no resolutions were passed on this item.

678. AOB / FUTURE AGENDA ITEMS

No matters were raised and no resolutions were passed on this item.

679. DATE OF NEXT MEETING

The next scheduled is Wednesday 17 May. This meeting will be held remotely.

For planning purposes, the provisional schedule for Schools Forum meetings for the 2023/24 academic year has now been set, as follows:

- Wednesday 13 September 2023, 8am
- Wednesday 11 October 2023, 8am
- Wednesday 6 December 2023, 8am
- Wednesday 10 January 2024, 8am
- Wednesday 17 January 2024, 8am PROVISIONAL MEETING
- Wednesday 6 March 2024, 8am
- Wednesday 22 May 2024, 8am
- Wednesday 10 July 2024, 8am

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

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

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 and explains how the Local Authority will now seek to refresh the Forum's membership. Members are asked to approve the proposed approach to the election of the Chair and Vice Chair for the 2023/24 academic year. This report 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 2022/ 2023 academic year at the meeting held on 18 May 2022.

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 that 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 composition and membership of Bradford's Schools Forum.

Amendments to the Forum's Composition for the 2023/24 Academic Year

The Authority puts forward two amendments to the School Forum's composition for the 2023/24 academic year (from September 2023), which are highlighted in Appendix 1.

- a) Our updated calculation, of the proportion of pupils on roll in maintained schools versus academies, taking account of expected conversions during 2023/24, indicates that we need to increase academies membership by 1 for the 2023/24 academic year. This will be a new membership to fill.
- b) There are 8 maintained special schools and special school academies in the Bradford District. At April 2023, 6 of these are academies and 2 are maintained schools. In these circumstances, the DfE's Schools Forum regulations require that at least one membership be available for maintained special schools as well as one be available for special school academies. Our current composition however, has 2 memberships for maintained special schools, one headteacher and one governor. The governor membership has been vacant for some time. We propose to delete the vacant maintained special school governor membership, which will reduce the total available memberships for the maintained special school sector to one. This feels to be more appropriate in the light of the number of maintained special schools that we have. In effect, with the addition of an academies membership, this deleted membership position is being transferred to the academies sector and could be filled by a representative from a special school academy (subject to the nominations and elections processes). The Authority will discuss this further with the District Achievement Partnership; the Authority has previously worked with the DAP to secure effective special school and special school academy representation. There are different options available, depending on whether the maintained special school headteacher membership position is actually taken by one of the two maintained special schools.

As a result of these two amendments, there are still 35 memberships, with 27 of these still being for schools and academies. Within the 27, 10 (reduced from 11) are now for maintained schools and 17 (increased from 16) are now for academies. There are no other changes in the Forum's composition.

In presenting Appendix 1, we also wish to highlight:

Details of the Item for Consideration

- The split of primary and secondary maintained school memberships remains in line with pupil numbers (85% of maintained school pupils are in the primary phase, which means that having 5 of 6 maintained school membership positions allocated to the primary phase remains proportionate). As a result of the 2 amendments explained above.
- We forecast that 75% of mainstream primary and secondary pupils will be on roll in academies at the end of the 2023/24 academic year. Within our Forum membership composition, subject to the further discussions with the DAP, there are 21 memberships for mainstream maintained schools and academies, of which 15 (72%) are available to academies members.

Renewing / Refreshing Schools & Academies Forum Membership

Appendix 1 shows the full current membership and also highlights a) where terms of office end at the end of the 2022/23 academic year and b) where the eligibility of incumbent members has changed (or is expected to change in the summer term) due to the conversion of their schools to academy status. There are 11 Schools & Academies membership positions in total that come up for renewal and a further 3 Academies membership positions that are currently vacant. In total therefore, we are looking to refresh / fill 14 Schools & Academies membership positions.

As a first step, the Authority has contacted incumbent members to ask whether they wish to put themselves forward for 're-election' for a new 2-year term of office (including those where their schools have converted to academy, to ask whether they would wish to put themselves forward for an academies membership). We will shortly publish a wider 'expressions of interest' advertisement on Bradford Schools Online, to capture nominations from eligible colleagues who are not currently members. Once we have responses, we will action and confirm membership arrangements. It may be necessary to run elections, depending on the number of nominations received for the membership positions that are available. We anticipate that an update will be presented to the July Forum meeting. The Authority is working to have refreshed membership arrangements in place for September 2023.

Within these processes, the Authority will continue to take care to avoid any cumulative loss of expertise within Forum membership, and will take this into consideration in the finalisation of membership from September.

Members will see from Appendix 1 that the Non-Schools Member positions – PVI Early Years and Further Education – are currently vacant following recent retirements. The Authority will also take steps to seek to fill these.

Chair and Vice Chair

As well as membership, the positions of Chair and Vice Chair must be refreshed for the 2023/24 Academic Year. Appendix 2 states:

- 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.

All 27 Schools and Academy Members are eligible to put themselves forward (or put forward another member, subject to their agreement). In terms of process, we have always previously collected nominations for both the Chair and Vice Chair of the Forum by email. An election, again by email, has then been carried out when necessary (though this has not been necessary in recent years).

At this stage, we would like the Forum to agree for us to follow the usual process for the collection of nominations, by email. Subject to this agreement, an email will be sent to members, following the refresh of membership (as described above), which will take place in between this and the July Forum meeting.

Details of the Item for Consideration

Conduct of Meetings and Procedures Document – Annual Refresh

The Forum's Conduct of Meetings and Procedures Document is attached at Appendix 2. We ask members to read this document, and to give any feedback that they may have, prior to its approval.

The 2023/24 document has been amended, from the current 2022/23 versions, just in Section 3 – Membership Composition - adjusting the membership composition in line with the two amendments that are explained earlier in this report.

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 Schools Forum is asked to approve the proposed approach to the election of the Chair and Vice Chair of the Schools Forum for the 2023/24 academic year**
- (3) The Forum is asked to approve Appendix 2 (Forum Conduct of Meetings and Procedures) for the 2023/24 academic year.**

List of Supporting Appendices / Papers (where applicable)

Appendix 1 – Schools Forum Membership composition May 2023
Appendix 2 – Conduct of Meeting & Procedural Matters 2023/24
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

This page is intentionally left blank

Ref	Name of Member	Schools or Non-Schools Member	Membership Group	Location / School / Org	Term of Office End Date	Named Substitutes
1	Sian Hudson	Schools & Academies Member	Maintained Nursery Schools - Headteacher	Executive Headteacher St Edmund's Nursery School & Liliycroft Nursery School	Jul-24	
2	Bev George	Schools & Academies Member	Maintained Nursery Schools - Governor	Governor, Hirst Wood Nursery School	Jul-23	
3	Kirsty Ratcliffe	Schools & Academies Member	Pupil Referral Unit (maintained)	Headteacher, Park Aspire	n/a	
4	Nicky Kilvington	Schools & Academies Member	Maintained Primary Schools - Headteacher	Executive Headteacher, Carrwood Primary School	Jul-24	
5	Jonathan Nixon	Schools & Academies Member	Maintained Primary Schools - Headteacher	Head of School, Cavendish Primary School	Jul-24	
6	Graham Swinbourne	Schools & Academies Member	Maintained Primary Schools - Headteacher	Headteacher Stanbury Primary School	Jul-24	
7	Kathryn Swales	Schools & Academies Member	Maintained Primary Schools - Headteacher	Headteacher, Gillington Primary School	Jul-23	
8	Emma Hamer	Schools & Academies Member	Maintained Primary Schools - Governor	Governor, Carrwood Primary School	Jul-23	
9	Ian Morrel	Schools & Academies Member	Maintained Secondary Schools - Headteacher	Headteacher, Titus Salt School	Jul-24	
10	Lyndsey Brown	Schools & Academies Member	Maintained Special Schools - Headteacher	Headteacher, Oastler School	Jul-23	
	Proposed to delete	Schools & Academies Member	Maintained Special Schools - Governor	Currently vacant		
11	Richard Bottomley	Schools & Academies Member	Academies - AP Academy	Principal, Bradford Alternative Provision Academy	n/a	
12	Michelle Farr	Schools & Academies Member	Academies - Academy Special School	Principal, Co-op Academy Southfield	Jul-24	
13	Amanda Steney	Schools & Academies Member	Academies	Dixons Academies Trust	Jul-24	
14	Melanie Saville	Schools & Academies Member	Academies	Bradford Academy	Jul-24	
15	Helen Williams	Schools & Academies Member	Academies	Moorlands Learning Trust	Jul-24	Alison Kaye, Moorlands Learning Trust
16	Wahid Zaman	Schools & Academies Member	Academies	Nurture Academies Trust	Jul-24	Aiisa Hoyland, Nurture Academies Trust
17	Sarah Murray	Schools & Academies Member	Academies	Exceed Academies Trust	Jul-24	
18	Brent Fitzpatrick OBE	Schools & Academies Member	Academies	Exceed Academies Trust	Jul-24	
19	Ashley Reed	Schools & Academies Member	Academies	Bradford Diocesan Academies Trust	Jul-24	Carol Dewhirst OBE
20	Mathew Atkinson	Schools & Academies Member	Academies	Priestley Academies Trust	Jul-23	
21	Michael Thorp	Schools & Academies Member	Academies	Pennine Academies Yorkshire	Jul-23	
22	Heather Lacey	Schools & Academies Member	Academies	Shirley Manor Primary Academy	Jul-23	
23	Victoria Birch	Schools & Academies Member	Academies	Beckfoot Trust	Jul-23	
24	Andrew Morley	Schools & Academies Member	Academies	Blessed Christopher Wharton Academies Trust	Jul-23	
25	Currently Vacant	Schools & Academies Member	Academies	Currently vacant	Jul-25	
26	Currently Vacant	Schools & Academies Member	Academies	Currently vacant	Jul-25	
27	Currently Vacant - new from Sept 2023	Schools & Academies Member	Academies	Currently vacant	Jul-25	
28	Currently vacant	Non-Schools Member	Private, Voluntary & Independent Early Years	Currently vacant	Jul-25	
29	Currently vacant	Non-Schools Member	16-19 Providers	Currently vacant	Jul-25	
30	Tom Bright	Non-Schools Member	Trades Unions	Trades Unions - Teaching	n/a	
31	Unison (nominee)	Non-Schools Member	Trades Unions	Trades Unions - Non Teaching	n/a	
32	David Johnston	Non-Schools Member	Officer for Vulnerable Children	David Johnston	n/a	
33	Not Taken	Non-Schools Member	Roman Catholic Diocese (Bradford)	Not Taken	n/a	
34	Not Taken	Non-Schools Member	Church of England Diocese (Bradford)	Not Taken	n/a	
35	Junaid Karim	Non-Schools Member	Council for Mosques (Bradford)	Council for Mosques (Bradford)	n/a	

Summary of Membership Composition

Total no. of Memberships	35
Total no. of Schools & Academies Memberships	27
Within this - no. of maintained school Memberships	10
Within this - no. of academies Memberships	17
Total no. of Non-Schools Memberships	8
% of Schools Members to Non-Schools Members	77%
Total no. of Governor Memberships (maintained)	2

highlights where the position is currently vacant, comes up for renewal at July 2023, or has / will become vacant in summer term due to transfer to academy status

This page is intentionally left blank

Bradford Schools Forum Document PV Appendix 2

Membership, Conduct of Meetings & Procedures 2023-24

(refreshed May 2023)

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 Schools 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 in the summer term for consideration, feedback and approval.

3. Membership Composition

- 3.1 The membership composition of Bradford MDC's Schools Forum for the 2023/24 academic year is:

- 3.1.1 27 Maintained Schools & Academy Members
 - 7 Headteachers Maintained Schools
 - 2 Governors Maintained Schools
 - 17 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. *The academies sector in Bradford does not currently have its own arrangements for managing its representation and the Authority has taken the leading role in this at summer 2023. 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. Nomination and 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 that 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 only 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 memberships 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. There is no specific term of office.

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 no 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

- 11.1 Any person is entitled to attend Schools Forum meetings, either where the meeting is held in City Hall or is held remotely using the 'Public-I' system. Typically, the four meetings held between September and January (which are the main decisions / recommendations meetings) are expected to take place at City Hall. The three meetings held between March and July (which are typically meetings more for information and awareness) are expected to be held remotely. However, whether a meeting is held at City Hall or remotely will always be subject to review of the meeting's agenda.
- 11.2 All meetings are held in public, either at City Hall or held remotely using the 'Public-I' system. Where meetings are held remotely, facilities are available at City Hall (Committee Secretariat) to access the meeting for anyone who otherwise would not have access. The link to view the meeting is published.

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"> • Primary Schools • Secondary Schools • Special Schools • Nursery Schools • PRUs 	<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"> • Special academies, including free schools • Alternative provision academies, including free schools 	<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"> • Headteachers (or their representative) • Governors • Headteachers and Governors • In overall terms there must be at least one headteacher (or their representative) and one governor 	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 general duties and retained duties.</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 retained duties.</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	Can appoint a 16 to 19 representative only if no election takes place by the agreed date or in the event of a tie. For all other non-schools members the local authority appoints, but it's good practice to seek nominations from the relevant bodies
--	---	---	---

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 further details of the Government’s 15 March 2023 Budget Statement: on the extension of the early years entitlements, on the allocation of additional Early Years Block monies for the delivery of the current entitlements from September 2023, and on the development of wrap-around provision in schools and academies.

Date (s) of any Previous Discussion at the Forum

The Schools Forum made its recommendations on the 2023/24 Early Years Block and Early Years Single Funding Formula on 11 January 2023. An update was presented on 8 March (Document PT).

Background

The 2023/24 Early Years Block settlement was published by the DfE on 16 December 2022. We reported to the Schools Forum on 11 January, that:

- Bradford’s rate of funding from the DfE for the 3&4-year-old entitlements is increased from £4.86 to £5.05 per hour in 2023/24. This represents an increase of + 3.91% (+ £0.19). However, £0.14 of this increase relates purely to the transfer of the school-led Teacher Pay and Pensions Grants into the EYSFF. This is not ‘new money’ into the District, just simply a technical change in the source of an existing funding stream. Adjusting for this (excluding the £0.14), our equivalent rate of funding per hour in 2023/24 is £4.91, which represents an increase of 1.03%. This confirms that we are funded on the DfE’s 1% ‘floor’. A 1.03% increase in 2023/24 represents the lowest increase that is received by local authorities within the national early years settlement. This comes at a time when costs for providers have significantly increased. We stated that the 1% settlement immediately restricts the flexibility that we have to increase our provider funding rates in 2023/24 in response.
- Bradford’s rate of funding from the DfE for the 2-year-old entitlement is increased from £5.57 to £5.63 per hour. This represents an increase of + 1.08% (+ £0.06). As with the 3&4-year-old entitlement funding rate, this confirms that we are funded on the DfE’s 1% ‘floor’ for the 2-year-old entitlement. Again, this comes at a time when costs for providers have significantly increased, and the 1% settlement immediately restricts the flexibility that we have to increase our provider funding rates in 2023/24 in response.

At the January meeting, the Schools Forum gave its support to the Authority’s proposals for the approach to the funding of the early years entitlements (the Early Years Single Funding Formula) for the 2023/24 financial year. Following the completion of the wider consultation, the Authority recommended to Council that the Early Years Single Funding Formula (EYSFF) that was set out in the Authority’s consultation be used to calculate budget shares for all providers delivering entitlement provision for 2 and 3 & 4 year olds in 2023/24. This was agreed by Council on 23 February and has now been actioned.

Our current Universal Base Rates for early years entitlement providers for 2023/24 are:

- 2-year-old entitlement: £5.61 per hour (increased by 1.08% on 2022/23).
- 3&4-year-old entitlement: £4.46 per hour (increased by 1.59% on 2022/23).

We reported to the Forum on 8 March that, within its discussion on the Schools Budget proposals, the Council’s Executive expressed its significant dissatisfaction with the 1% Early Years Block settlement that Bradford has received from Government; 1% falls well short of the high rising costs that are faced by early years providers, as well as by the Council. The Executive asked that the Schools Forum continues to closely consider and to highlight this issue. Following consideration of this, the Forum resolved that the Chair, on behalf of the Schools Forum, writes to the Secretary of State on this issue. This letter has not yet been sent, as we are waiting for the details of the additional allocations, that were announced by the Chancellor on 15 March, before framing the content of this letter.

Details of the Item for Consideration

Summary of the Budget Announcements

On 15 March 2023, the Chancellor announced that new entitlements will be introduced in phases:

- From April 2024, all working parents of 2 year olds can access 15 hours per week.
- From September 2024, all working parents of children aged 9 months up to 3 years old can access 15 hours per week. The DfE indicated that the “average rate” of funding for local authorities for the under 2-year-old entitlement will be £11 per hour in 2024/25.
- From September 2025, all working parents of children aged 9 months up to 3 years old can access 30 hours per week.

The Chancellor also announced additional entitlement funding, of £204m from September 2023 rising to £288m in 2024/25, to increase the funding that is paid to early years entitlement providers for the delivery of *the existing entitlements*, above the 2023/24 Early Years Block funding rates that were announced by the DfE on 16 December 2022. The DfE has stated that this additional funding will allow the national average rate for local authorities for 2 year olds to increase by 30%, from the current national average rate of £6 per hour, to around £8 per hour from September 2023. The DfE has also stated that the national average rate of £5.29 per hour for 3&4 year olds will rise “in line with inflation to over” £5.50 per hour from September 2023.

The Chancellor also announced that schools and local authorities will be funded to increase the supply of wraparound care; the Government’s policy commitment being for all primary schools to provide 8am to 6pm provision from 2026, with a pathfinder programme supporting initial development. £289m of start-up funding has been announced (to be allocated over 2 years from September 2024), but with the details of the allocation of this, as well as of how the cost of wrap around provision may be supported in the longer term, still to be provided. Other details, such as how the policy commitment will be rolled out and whether wrap around provision will be compulsory for all primary schools, are also to be provided.

Thinking about the DSG, early years formula funding and the financing of central support services, the entitlement funding and extension announcements broadly mean:

- We will need to closely plan the implementation of the extensions, in line with the DfE conditions and guidance. There is much to consider here, beginning for the 2024/25 financial year. A main aspect of this clearly will be concerned with ensuring the sufficiency of places, with analysis to identify the extent to which the extensions may increase the number of childcare places that are required, in addition to just simply altering the way that existing childcare provision is financed (with this in the future being financed by the Government through formula funding mechanisms, rather than through parental fees). There may be capital considerations, as there have been when the entitlements have previously been extended. However, it may also be the case that extending the entitlements may just help to counter, within existing capacity, the reduction in the numbers of early years children that has come from demographic trends. We also will need to consider the impact of extension on the different early years provider sectors.
- We will need to closely consider whether our Early Years Single Funding Formula needs to change to absorb effectively the new entitlements, beginning from April 2024. An aspect of this will be continuing to closely review our rates of funding for providers, but with this review always having to operate within the quantum of funding that we receive from the Government. Another aspect will be responding to any changes that may be directed by the DfE e.g. in setting minimum rates of funding, in the use of supplements (such as for the 2-year-old entitlement, where we do not currently use a supplement), in the protection of maintained nursery schools and in the use of funding for central support services. Another aspect that stands out will reviewing how entitlement delivery is counted for funding purposes. We currently use termly counts, but will this kind of fixed approach to counting be the most appropriate way of funding providers for the entitlement for children aged between 9 months and 2 years?
- We will need to closely consider the knock on financial implications for the DSG where it is appropriate and necessary to increase the size of the Authority’s central capacity, as well as the knock on implications for centrally managed SEND funding streams, including Early Years Inclusion Fund (EYIF) and services that are funded by the High Needs Block.
- We will need to closely consider how new / increased funding and new / increased costs affect the overall affordability position of our Early Years Block. This is in the context of us already using carry forward balances to support our existing level of expenditure. Within this, we need to be careful to understand the financial inefficiencies that may be present during the set-up phases. For example, we have previously identified that, when a new or extended entitlement begins in September, this costs our Early Years Block between September to March more than the funding that we receive from the DfE for the same period.
- We have a more immediate piece of work to complete, and a decision to take, regarding how we allocate the additional monies for the existing entitlements that we expect to receive for the period September 2023 to March 2024.

Details of the Item for Consideration

Allocation of Additional Monies September 2023 to March 2024 - Outline

We had hoped that we would be able to present to the Schools Forum at this meeting a more detailed outline / proposal of how the additional Early Years Block monies that we have received from the DfE will be allocated. However, at the time of writing this report, the DfE has not yet announced the additional allocations for each local authority, nor the conditions that may cover these allocations. For example, the DfE may require local authorities to pass a minimum value through to providers and / or may set other conditions. It is not normally permitted for local authorities to adjust their Early Years Single Funding Formulae during the year. Secretary of State permission is required to do so. So it is very possible that conditions will be applied to this additional funding, and that these conditions may be focused on requiring local authorities to pass through the funding to providers by increasing delivery funding rates.

As we set out in the summary section, earlier in this report, the DfE has stated that this additional funding will allow the national average rate for local authorities for 2 year olds to increase by 30%, from the current national average rate of £6 per hour, to around £8 per hour from September 2023. The DfE has also stated that the national average rate of £5.29 per hour for 3&4 year olds will rise "in line with inflation to over" £5.50 per hour from September 2023. On this basis, prior to further details being published, we anticipate that the weighting of the new funding that we will receive will be towards the 2-year-old entitlement, with a more modest increase available for the 3&4-year-old entitlement.

Depending on the conditions that the DfE sets, we anticipate applying the following principles to the allocation of the additional funding that we will receive:

- We absolutely wish to maximise the allocation of the additional funding directly to providers, recognising that the increases in the rates of funding so far, that we have been able to afford from the Early Years Block settlement that was published on the 16 December 2022, are significantly lower than the expected increases in costs that are being met by providers, especially increases in salaries costs.
- The additional funding will be used to increase provider rates for the autumn 2023 and spring 2023 delivery. However, we will not retrospectively re-calculate the funding that has been allocated for the delivery of the entitlements over the summer term 2023. This is because we expect that the DfE will only allocate funding for the September to March period.
- We anticipate allocating the additional funding across the two entitlements (the current 2-year-old and the current 3&4-year-old entitlement) in a 'ring-fenced' manner, in line with the way that the DfE has allocated the money i.e. if the increase provided by the DfE for the 2-year-old entitlement is greater, then we will uplift our 2-year-old entitlement funding rate on the same lines; we would not divert 2-year-old funding to the 3&4-year-old entitlement, and vice versa.
- We anticipate that the additional funding will be allocated to providers by adjusting only the Universal Base Rates, meaning that we would not adjust supplement funding in the 3&4-year-old entitlement. We would also not adjust the calculation of the additional lump sum sustainability funding that is received by maintained nursery schools. We would also not adjust other elements of our Early Years Single Funding Formula, including EYIF and DAF funding.
- We will wish to allocate a total additional value of funding that does not materially affect the overall affordability position of our Early Years Block in the 2023/24 financial year. In January 2023, we agreed with the Schools Forum a planned budget, which set aside £0.957m of brought forward balance to support the full potential cost of our 2023/24 Early Years Block arrangements. We do not wish the allocation of additional funding to result in a substantial deviation from this planned position. Within this, we have previously identified that, when a change in DfE funding is made at September, this disturbs the normal pattern of how our overspending in summer term is reimbursed by our underspending in autumn term, which affects our overall in year Early Years Block financial position. This is because the DfE funds us on a 7/12ths basis (7 months for the period September to March) whereas we will fund providers for 26/38ths (26 weeks of delivery – 14 weeks in autumn and 12 weeks in spring) across the same period. 26/38ths of cost is proportionately more than 7/12ths of funding. We will need to factor this into our analysis of by how much we can afford to uplift rates of funding without affecting our overall affordability position. This may mean that rates of funding may not increase in line with the headlines that are published by the DfE.
- We will need to more closely consider the issue of 'new burdens' related to the additional work, and on-going capacity that the Local Authority will require, to support the roll out and on-going delivery of extended entitlements. We are likely therefore, at an appropriate point, to wish to discuss with the Schools Forum adjusting the central capacity that is funded by the Early Years Block. However, this discussion is likely to be more appropriate to have within the 2024/25 DSG decision making cycle and therefore, to be had separately from more immediate decisions about the allocation of additional monies that have become available during this financial year for the delivery of the existing entitlements.

Details of the Item for Consideration

In its consultative role, we ask for views from the Schools Forum on this outline and on these principles.

In terms of next steps, depending on the timing of the DfE's announcements, we anticipate presenting a report to the next Forum meeting, which:

- Will set out a more detailed proposal of how the additional monies will be allocated from September. Whilst we wish to consult with the Schools Forum, at the next available opportunity, before confirming for providers funding rate changes, we are conscious that providers will increasingly over the summer term ask the Authority for information on what their new rates of funding will be for the autumn and spring terms. As such, to support the process, in advance of the next Forum meeting, we envisage convening the Early Years Working Group to consult further on proposals, once these have been fully developed, and also to make providers aware of what the Authority proposes, so that they can begin to plan on this basis.
- Will begin to more closely consider the formula funding changes that may need to be made from, and the financial implications for the DSG and for the Early Years Block of, the extension of the early years entitlements beginning at April 2024. This will need to be worked through within our 2024/25 DSG and formula funding decision making cycle. The Local Authority expects the Early Years Working group shortly to begin to consider these matters more closely.

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

Our understanding of the implications for the DSG are still to informed by the DfE's more detailed announcements, on the additional allocations that Bradford may receive in this current year and on the conditions for the use of these allocations, as well as more detailed guidance, which will explain the extension of the early years entitlements and the financing of this.

We will need to consider not only the allocation of Early Years Block funding to entitlement providers, but also the implications for the financing of additional central capacity that is likely to be needed to support the extension of the entitlements, as well as wider DSG implications that extension may have, especially from supporting early years children with SEND, through Early Years Inclusion Funding EYIF) as well as via allocations and support services that are funded from the High Needs Block.

Recommendations

Recommended –

- (1) the Schools Forum is asked to consider and to note the information presented.**
- (2) The Schools Forum is asked for any initial feedback on the allocation of the additional Early Years Block monies that Bradford will receive for the period September 2023 to March 2024, as outlined in the report.**

List of Supporting Appendices / Papers (where applicable)

None

Contact Officer (name, telephone number and email address)

Andrew Redding, Business Advisor (Schools)
01274 432678
andrew.redding@bradford.gov.uk

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 DfE's development of the 'hard' National Funding Formula for the Schools Block.

Date (s) of any Previous Discussion at the Forum

The Forum considered, on 14 September 2022, the Authority's response to the DfE's summer 2022 consultation (Document OT).

Background / Context

The DfE in 2018/19 implemented the National Funding Formula (NFF) across the Dedicated Schools Grant (DSG), and within the Schools Block, in 'soft' format, meaning that local authorities can still decide the formulaic calculations that are used for distributing Schools Block funding to mainstream primary and secondary schools and academies, albeit within tight (and annually tightening) Regulations. Authorities in 2023/24 continue to set their own Growth Fund and Falling Rolls Fund arrangements. There are also elements of Schools Block funding that are not yet covered by the NFF, the most prominent of these being PFI (Building Schools for the Future).

The DfE has for some time now stated that its intention is to transition to a 'hard' formula approach, where Schools Block formula allocations will be calculated by the DfE, rather than by local authorities, using a national funding formula (NFF). Although there isn't a date for when the hard NFF will be implemented, the DfE has stated the aim for full implementation by 2027/28 at the latest; sooner if possible, but no later. We have previously emphasised to the Schools Forum that:

- In anticipation of the transition to 'hard' NFF, we have already moved to using the NFF for our local Schools Block formula (have done since 2018). So, much of what the DfE directs about requiring authorities to move closer to the NFF isn't an immediate worry. Any concerns that we have are more related to cost control during the final transition period.
- One of the biggest potential risks for us is the funding of PFI (Building Schools for the Future) within the Schools Block, where the Council and individual schools and academies have contractual commitments.
- The SEND Green Paper (the national review of SEND and Alternative Provision), most recently updated for the publication in March 2023 of an implementation plan, places significant emphasis on developing (and potentially changing) SEND and AP funding systems within the development of the 'hard' National Funding Formula and following its timescales.

In early consultations the DfE has emphasised that:

- Transition must be actioned carefully, to minimise turbulence. Change will happen gradually and following impact review at each stage. The DfE, in particular, continues to recognise the complexities of moving premises factors, as well as Growth Fund and Falling Rolls Fund arrangements, into a hard NFF. Regarding Growth and Falling Rolls, the DfE is now minded to continue local management of these funds, with greater flexibilities for the management of surplus places.
- A review will be conducted of the services that are delivered by the Central Schools Services Block. The option of de-delegation by local authorities will continue under the hard NFF. Multi Academy Trusts will continue to be permitted to 'top slice' and to pool funding, although the DfE is to investigate changes that could improve the transparency and consistency of these processes.
- The DfE will "not prioritise" bringing the funding of local authority maintained schools onto an academic year basis, in line with academies.
- The Schools Forum will have an adjusted roll in the future, as there will be minimal direct Schools Block formula funding activity to manage. However, the Forum will still be an important local body going forward, including for early years, for high needs and for central services. How the Forum will sit alongside other partnership bodies, that are proposed to be developed from the SEND review, in the management of the High Needs Block, will be a specific aspect to consider.

Background and Context

In the most recent consultation in summer 2022, the DfE proposed that:

- The NFF will contain a split-sites factor, from April 2024. Local authorities will be required to use this factor, replacing their previous methodologies. The consultation sets out a proposed split-sites formula, which will quite significantly alter levels of funding for split-sites, especially in the secondary phase. In particular, the DfE proposed to exclude split playing fields from split-sites funding purposes. This will directly impact on the funding of 2 of our secondary schools / academies.
- Whilst, to achieve greater consistency, there will be further prescription and restriction, the Growth Fund and the Falling Rolls Fund are likely to continue to be managed locally. This approach is preferred by the DfE, rather than seeking to operate these funds on a single national basis. How the Growth Fund and the Falling Rolls fund will operate, and how these funds can be used to support schools and academies, is being reviewed and also potentially extended, including explicitly to incentivise the management of surplus places (supporting the “repurposing and removing” of space). Change is expected for April 2024, with funding ring-fenced and ‘re-baselined’ at 2023/24. Levels of growth funding allocated to authorities may not continue at current levels, as both the growth and reduction in numbers will be taken into account. Within our 2023/24 DSG planned budget, we have held balances within the Schools Block to be available to support this matter.
- Whilst work is continuing on an approach to PFI funding, the DfE does not yet give any timescales for the implementation of a new NFF mechanism nor any details of this.
- There will continue to be a local option for the movement of Schools Block funding to the High Needs Block, with local agreement but via application to the ESFA, using a standard ‘menu’ of options. The role of the Schools Forum here, in relation to the local partnership arrangements that are proposed by the SEND review, is to be further considered.
- The composition of the NFF itself is being reviewed, to ensure that this remains relevant and fit for purpose. A specific area of review that is highlighted is the Low Prior Attainment factor, which has recently been affected by the COVID-19 pandemic and by changes in assessments.
- The concept of a ‘notional SEND’ budget will continue under the hard NFF. It is expected that a fully consistent definition will be applied at the point the hard NFF is implemented. In advance of this, for 2023/24, the DfE provided new guidance for local authorities, with the aim of improving consistency.
- The timing of local consultations on still locally-relevant Schools Block matters, such as transfers to the High Needs Block and de-delegation, will likely need to take place earlier in the cycle than it does now (‘by’ autumn rather than ‘in’ autumn), in order to pass on the critical information that the ESFA will then use to calculate individual allocations for schools and academies.
- The DfE will continue the ‘popular growth’ funding mechanism, that is currently applied to academies, where academies that have taken over underperforming undersubscribed schools see significant in year growth in pupil numbers can be funded on estimates of in year numbers, rather than on actual lagged census numbers. The DfE states that there has been criticism that maintained schools are not eligible for this mechanism and so the DfE asked for views on whether this mechanism should be extended to maintained schools.

Whilst waiting for confirmed details, we have outlined to the Schools Forum (8 March meeting Document PT) that we expect further direction and restriction to affect 2024/25 mainstream formula funding arrangements.

Details of the Item for Consideration

The DfE published on 26 April 2023 its response to the Summer 2022 consultation. This response was not very detailed, in the sense of providing the technical detail and instruction that is needed to enable us to formulate our responses to the changes that will be required for the 2024/25 financial year and to understand their impact. It is expected that this detail will come in the usual July funding and operational guidance announcements, meaning that we will be developing our formula funding responses for 2024/25 over the summer holidays, for presentation and consultation with the Schools Forum (and then wider) from the beginning of the autumn term.

This DfE’s response also did not contain much further discussion about how the development of SEND and AP funding within the National Funding Formula (NFF) will be aligned with the SEND Green Paper and what specific changes in mainstream funding mechanisms may be implemented e.g. changing the £6,000 threshold and changes that may come from the adoption of national standards in relation to EHCPs. The response simply states that NFF development will be aligned with the SEND Green Paper objectives (now set out in the recent Improvement Plan), and will be subject to further review.

The DfE has however, confirmed the following key points:

Details of the Item for Consideration

- A new NFF-led split sites factor will be implemented from 2024/25, with the final detail of the construction of this factor to be announced in July, but with this factor based on the allocation of lump sums for eligibility and for distance. This factor will replace our current local factor. The NFF factor will not fund split sites playing fields. Schools and academies that lose funding in 2024/25 as a result of this change (including where schools are no longer eligible for split sites funding) will be protected under the Minimum Funding Guarantee. We anticipate that the number of schools and academies in Bradford that will receive split sites funding will reduce from 11 to 6 in 2024/25, and that the overall total of funding will also reduce because of this.
- Amended arrangements will be in place from 2024/25 for the allocation of Growth and Falling Rolls Funds, and we will need to review our Schools Block policies in the light of these changes:
 - National changes will be introduced incrementally, with the first step being the introduction of 'minimum requirements' in 2024/25 – minimum requirements on eligibility circumstances, values of funding and consistency of formulae. The details of the minimum requirements, and further operational guidance, are still being developed and will be published in July.
 - There will continue to be an element of local management of these funds (rather than the adoption of a national single process).
 - A new Schools Block-level DSG funding mechanism will be introduced for 2024/25, which will allocate funding to local authorities for both growth and falling rolls. These funds will not 'net off' from each other, which was one of our major concerns. Local authorities will be permitted to retain any underspends in funds within their DSG accounts. However, the DfE expects that, as a result of the changes, local authorities typically will in the future allocate more funding for growth and falling rolls than they are currently. The DfE however, will not 're-baseline' Schools Block funding until after 2024/25 and following further review of the impact of the changes.
 - The DfE intends to remove the restriction on the allocation of Falling Rolls Fund monies only to schools and academies that are rated good or outstanding by Ofsted. Authorities must however, use SCAP data to allocate Falling Rolls Fund monies and will only be able to do so where the SCAP data shows that places in the school or academy will be required in the next 3 to 5 years. On their own, pending further detail, we do not anticipate that these changes will significantly alter the funding landscape in Bradford (as the primary reason why Falling Rolls Funding has not been allocated to schools and academies so far is because surplus places are not forecasted to be needed within 3-5 years, not because of the Ofsted status of the school).
 - From 2024/25, local authorities will be permitted to use both growth and falling rolls funds to fund the revenue cost associated with repurposing or reducing school places. Further details on this will be published in July. This is a critical development for us, in terms of options for supporting the primary phase through the current pupil numbers reduction due to demographic trends, and we will closely analyse what the DfE's July guidance says.
 - Regarding the allocation of funding for 'popular growth' rather than for basic need, the DfE states that it will ensure there is equivalence in access to funding between maintained schools and academies, and will review this further. No further details on this are given at this time.
- Following the full implementation of the hard NFF, there will continue to be the flexibility for local authorities to transfer Schools Block funding to the High Needs Block, adjusting mainstream schools and academies formula funding to do so. Further details of the 'menu' of options, and the requirements for local consultation, are still to be decided and published. The DfE states quite clearly that, under the hard NFF, the Secretary will decide on the transfer of all funds (whereas currently local authorities, with their Schools Forums, can decide on the transfer of up to 0.5% of the Schools Block).
- Within the hard NFF allocations for individual schools and academies, the DfE will calculate an 'indicative SEND budget', which will continue the concept of the notional SEND budget. The design of this budget will be further developed, aligning with the SEND Green Paper reforms. The DfE is currently looking at whether the guidance that is provided for local authorities, on the definition of notional SEND budgets, should be strengthened for 2024/25, with any changes to be set out in July.
- At the point the hard NFF is finally introduced, the DfE intends to move to a simplified pupil-led funding protection mechanism, which will be developed from, but which will replace, the Minimum Funding Guarantee and Funding Floor. There are a number of aspects of this mechanism that need review. The DfE is concerned to carefully consider the impact of protection changes on individual schools and academies.
- De-delegation will continue under the hard NFF, with a single data collection arrangement (for local authorities to tell the DfE about their de-delegation arrangements). The DfE has confirmed that a collection exercise will take place in December each year, with a short turn around, for local authorities to inform the DfE about school re-organisation activity (which will then feed into the DfE's NFF calculations). The DfE plans to develop a calculation tool for schools and academies to use to predict their formula funding allocations, in advance of final publication. The DfE currently anticipates following a similar publication timetable as now, but will continue to review this, as well as data collection arrangements, and will continue to engage with stakeholders.

Details of the Item for Consideration

- The DfE does not plan to make any changes in payment arrangements, meaning that academies will continue to receive GAG funding directly from the ESFA, and maintained schools will continue to receive their formula funding allocations via the local authority. Regarding de-delegation, local authorities will then continue to deduct de-delegated funds contributions from maintained school allocations before passing these on.
- The DfE's response does not say anything further about the review of PFI funding arrangements, other than there will be further engagement.

Although we will not get the detailed instruction and information that we need to review our Schools Block formula funding arrangements for 2024/25, we anticipate that our review will need to incorporate:

- Adjusting to replace our local split site formula with the new NFF split sites formula. Alongside this, adjusting our Minimum Funding Guarantee calculation to protect against split site funding losses for individual schools and academies (whereas we have in recent years excluded split sites funding from the MFG).
- Adjusting our Growth and Falling Rolls Fund arrangements, in line with the DfE's changes. Reviewing the affordability of our arrangements as our Schools Block-level funding will change.
- Further incremental review of our notional SEND budget definition, including in response to any changes that may be directed (or strongly encouraged) by the DfE.
- Ensuring that our Schools Block funding formula complies with the expected further tightening of the Regulations, which will require all local authorities to move closer to the National Funding Formula at local level.
- Responding to any other directed changes, including changes in the National Funding Formula itself (changes in factors and values). Within this, we know already that the National Funding Formula in 2024/25 will incorporate the new Mainstream Schools Additional Grant.
- Ensuring that our Schools Block spending remains affordable. This, as in recent years, will continue to include consideration of the level of the Minimum Funding Guarantee and of the options that are available should we not be able to afford the full mirroring of the NFF, including due to the impact of 'data lag'.

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

NFF developments will directly influence the Schools Block, from April 2024, as set out in this report.

Recommendations

Recommended – the Schools Forum is asked to consider and to note the information presented.

List of Supporting Appendices / Papers (where applicable)

None

Contact Officer (name, telephone number and email address)

Jonty Holden, Principal Finance Officer, School Funding Team
(01274) 431927
Jonty.Holden@Bradford.gov.uk

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 2023.

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 Surplus Balances Protocol was applied at March 2022 and has been applied again for balances held at March 2023, with this Protocol including flexibilities, which enable maintained schools to retain funds in support of catch up / recovery activities, financial issues such as utilities costs, and to manage multi-year budget pressures.

Details of the Item for Consideration

The table below summarises the overall net positions for each phase and gives a comparison against the absolute positions of balances held by maintained schools last year at 31 March 2022.

	March 2023	March 2022	£ Difference
Nursery	£1.259m	£1.347m	- £0.088m
Primary	£6.569m	£8.960m	- £2.391m
Secondary	£2.971m	- £2.400m	+ £5.371m
Special	£1.077m	£2.822m	- £1.745m
PRUs	£0.497m	£0.386m	+ £0.111m
Total	£12.373m	£11.115m	+ £1.258m

Please note that the net 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 2023, there are 9 fewer schools maintained by the Local Authority than at 31 March 2022 (6 primary; 2 secondary; 1 special). These schools combined held a net total of revenue balances of minus £4.151m (deficit) at 31 March 2022.

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 2022/23.

Details of the Item for Consideration

	March 2023	March 2022	Difference
Nursery	£1.259m	£1.347m	- £0.088m
Primary	£6.569m	£8.215m	- £1.646m
Secondary	£2.971m	£3.162m	- £0.191m
Special	£1.077m	£2.156m	- £1.079m
PRUs	£0.497m	£0.386m	+ £0.111m
Total	£12.373m	£15.266m	- £2.893m

The total net value of revenue balances that was held by maintained schools at the end of 2022/23 has reduced. However, within this, revenue balances have increased in 37% of our 75 maintained schools (28 schools). Correspondingly, revenue balances have decreased in 63% (47 schools).

The total gross value of deficits, held by 7 schools, at 31 March 2023 is £0.497m. This is + £0.442m more than the gross value of deficits that was held at 31 March 2022 (by schools that remain maintained at 31 March 2023). The larger absolute total gross value of deficits that was held at 31 March 2022, including schools that have since converted to academy during 2022/23, was explained in the majority part by the deficit held by one maintained secondary school. The substantial reduction in the absolute total value of deficits that are held at 31 March 2023 is explained with reference to the conversion of this school to academy status during 2022.

The total gross value of surpluses that is held at 31 March 2023, by 68 maintained schools, is £12.870m. This is £2.452m lower than the gross value of surpluses that was held at 31 March 2022 (by schools that remain maintained at 31 March 2023). The table below summarises the more medium term changes 2019-2023 in the total gross values of surplus balances that have been held by schools that were maintained at 31 March 2023.

	March 2019	March 2020	March 2021	March 2022	March 2023
Nursery	£0.652m	£1.024m	£1.432m	£1.402m	£1.325m
Primary	£6.088m	£6.191m	£9.640m	£8.216m	£7.000m
Secondary	£2.084m	£2.047m	£2.562m	£3.162m	£2.971m
Special	£0.478m	£0.720m	£2.047m	£2.156m	£1.077m
PRU	£0.098m	£0.128m	£0.265m	£0.386m	£0.497m
Total Value	£9.400m	£10.110m	£15.946m	£15.322m	£12.870m

The table at the top of the page presents the following picture at 31 March 2023, by phase:

- The total net value of balances held by maintained nursery schools has only slightly changed (reduced). The balances of 4 out of 7 schools have increased. The balances of 3 schools have decreased. 1 nursery school held a deficit balance at 31 March 2023.
- The total net value of balances held by primary schools has decreased by 20%. 39 schools (64%) have decreased and 22 (36%) schools have increased their balances. 6 schools held deficits at 31 March 2023.
- The total net value of balances held by secondary schools has decreased by 6%. Within this, 2 of 4 schools have increased their balances and 2 of 4 have decreased their balances. No secondary schools held deficit balances at 31 March 2023.
- The total net value of balances held by special schools has decreased by 50%. Both of the 2 special schools decreased their balances due to agreed spending of March 2022 'excess' balances (balances held above the Surplus Balances Threshold) on agreed schemes. Neither of the 2 special schools held deficit balances at 31 March 2023.
- The total net value of balances held by the PRUs has increased. Only one PRU now has a delegated budget (with the Education in Hospital and Tracks provisions being managed centrally by the Authority).

The table below shows the number of maintained schools by phase by revenue balance held at 31 March 2023 as a % of funding:

	Nursery	Primary	Secondary	Special	PRUs
Deficit	1	6	0	0	0
Up to 1%	0	4	0	0	0
1% - 2%	1	3	0	0	0
2% - 4%	0	14	1	0	0
4% - 6%	0	12	0	0	0
6% - 8%	1	9	2	1	0
8% - 10%	0	7	0	1	0
10% - 20%	1	4	1	0	0
> 20%	3	2	0	0	1

Details of the Item for Consideration

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

	Median Mar 2023	Median Mar 2022	Change
Nursery	£80,766	£128,175	- £47,409
Primary	£88,339	£103,842	- £15,503
Secondary	£635,694	£884,113	- £248,419
Special	£538,741	£1,078,066	- £539,325
PRUs	£496,853	£385,977	+ £110,876
Total	£101,045	£116,794	- £15,749

Control of Surplus Balances Reporting

At March 2023, 31 (41%) maintained schools held balances above their Intended Use of Excess Balances Thresholds, with a total value of balances above these Thresholds of £4.93m. After legitimate adjustments, such as for balances held on behalf of other schools, ring-fenced grants and later notification of funding payments, 25 (33%) maintained schools held what the Authority's Surplus Balances Protocol defines to be an 'excess' balance, at a total value of £4.10m. 26 schools have returned schemes, with the total value of schemes adding up to £4.89m.

A breakdown of schemes by type is shown in the table below:

Type of Scheme	No. of Individual Schemes	Total Value of Schemes
1 Revenue Contribution to Capital Scheme	9	£0.916m
2 Revenue Contribution to Spend to Save	1	£0.253m
3 Contracts Review (including PFI)	0	£0.000m
4 Managing Places Expansion	2	£0.468m
5 Managing Financial Difficulties	9	£2.120m
6 Managing Exceptional Circumstances	11	£1.132m
Total	32	£4.889m

Schemes recorded under 'exceptional circumstances' include COVID-19 pandemic recovery activities, balances held by the maintained nursery schools to protect against the uncertainty of future formula funding, multi-year budget protection and support for the management of utilities costs increases.

9 of the 32 schemes have elements that are planned to be completed after 31 March 2024. All the 25 schools that held an excess balance at 31 March 2023, when the £3,000 leeway that is provided by the Protocol is applied, appear at this stage to have properly assigned the value of excess and therefore, there are currently no proposals for clawback.

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)

Andrew Redding, Business Advisor (Schools)
01274 432678
andrew.redding@bradford.gov.uk

This page is intentionally left blank

SCHOOLS FORUM AGENDA ITEM

For Action

For Information

Brief Description of Item

This report provides a short update and a reminder regarding the Authority’s High Needs Block Financial Forecast and the development of a mitigation plan.

Date (s) of any Previous Discussion at the Forum

The latest version of the DSG Management Plan was presented to the Schools Forum on 11 January 2023.

Background / Context

The Local Authority presented the latest version of the Authority’s DSG Management Plan to the Schools Forum on 11 January 2023 (Document PP). Within this plan, the Authority stated that our forecast currently identifies that there is clear risk of a cumulative deficit building within our High Needs Block by the end of the 2025/26 financial year, as a result of recurrent structural in-year over spending, and that the risk of cumulative deficit by the end of the 2026/27 financial year is then high. We stated that our forecast identifies that mitigating action will need to be taken in order to prevent the accrual of a cumulative deficit balance within our High Needs Block, and that this will be a piece of work for the Authority to discuss within the Schools Forum during 2023. We indicated that mitigating action will need to be considered within the 2024/25 DSG and formula funding decision making cycle.

The Forum resolved on 11 January, that the Local Authority presents to, and discusses with, the Forum its ‘mitigation plan’, which is to be developed.

Document PZ now provides an update, and a reminder, and presents the beginnings of the considerations behind the development of ‘mitigating’ actions, for the Forum’s awareness and review.

Details of the Item for Consideration

Please see Appendix 1.

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

As discussed in Appendix 1.

Recommendations

- (1) The Schools Forum is asked to consider and to note the information provided.
- (2) The Schools Forum is asked for its view on if (and how) it wishes to contribute more specifically to the development of a mitigation plan.

List of Supporting Appendices / Papers

Appendix 1 – Update and Reminder on the High Needs Block and the development of a mitigation plan.

Contact Officer (name, telephone number and email address)

Andrew Redding, Business Advisor (Schools)
01274 432678
andrew.redding@bradford.gov.uk

Niall Devlin, Assistant Director, SEND and Inclusion
01274 431356
niall.devlin@bradford.gov.uk

This page is intentionally left blank

DSG High Needs Block Financial Forecast and Mitigation – Reminder and Update**Introduction & Reminder**

1. We presented to the Schools Forum on 11 January 2023 an updated 4-year financial forecast of our High Needs Block, which indicated that we may overspend the High Needs Block as follows:

	2023/24	2024/25	2025/26	2026/27
In year overspend	£4.20m	£10.53m	£16.01m	£21.78m
Overspend as a % of income	3.6%	8.7%	12.7%	16.8%
Cumulative HNB balance	+ £21.63m	+ £11.10m	- £4.91m	- £26.69m

2. On this basis, whilst also explaining the estimated nature of this forecast, we presented to the Schools Forum the view that there is clear risk of a cumulative deficit building within our High Needs Block by the end of the 2025/26 financial year, as a result of recurrent structural in-year over spending. We stated that the risk of cumulative deficit by the end of the 2026/27 financial year is then high.
3. In the context of expected, more limited, High Needs Block funding settlements from the DfE, we explained that, whilst there are other spending pressures, including in Alternative Provision, it is the further estimated growth in spending in 4 areas, in particular, over the next 4-year period, which mostly explains the substantial downturn in our High Needs Block financial position.
- Local specialist places (greater revenue cost from the creation of more specialist places).
 - Independent and Out of Authority Placements.
 - Mainstream EHCPs, including the SEND Funding Floor and EHCPs in early years PVI settings.
 - EHCPs for Post 16 students in Further Education Institutions (including SPIs).
4. In January, we highlighted 4 main uncertainties, which will have direct implications for our High Needs Block going forward:
- Whether we are successful in our bid for a Special School Free School.
 - The outcomes of the national reviews on SEND, EHCP and Alternative Provision systems and funding (the SEND Green Paper). It is likely that national changes will alter the cost base that our High Needs Block will need to manage.
 - The rate of continuing growth in the number of children and young people with EHCPs in Bradford, including the numbers that will require specialist provisions, as well as high cost independent provisions, in the context of wider demographic changes. We are currently experiencing significant growth in these numbers, but for how long will growth (at this rate) continue?
 - Whether the annual increases in High Needs Block funding allocated by the DfE will keep pace with increasing costs. On current information, assuming no change in EHCP growth rates, we assume that funding is unlikely to keep pace with costs growth. This is because the DfE has previously indicated that it expects EHCP growth rates nationally to slow and that future High Needs Block funding settlements will be calculated on this basis.

Update at May 2023

5. In regards to the 4 main uncertainties:

- a. As we reported to the Schools Forum on 8 March, we have been unsuccessful in our bid for a new Special School Free School. As such, where we forecast that we will need to continue to create additional local specialist places, we will need to find alternative ways of doing so, which will have both revenue and capital funding implications. We are now in a very clear position however, where we must ensure that all new places creation for this point on is affordable and can be sustained by the High Needs Block.
- b. The DfE has now published an 'improvement plan' regarding the SEND Green Paper. This plan, although setting out a direction of travel for the development of Alternative Provision, for the strengthening of inclusion and for the introduction of a set of national consistent standards regarding EHCP access and funding, does not yet provide substantial information, which enables local authorities to closely assess the financial impact of the changes. We anticipate that changes will have financial consequences (both for the DSG and for individual settings) but these, and the timescales for their impact, are currently unclear. It is also evident that changes are likely to create savings as well as result in increased spending, with the clear possibility that increased spending e.g. on early intervention and on alternative provision outreach activities will be required to take place before savings might come in to offset this.

In its recent messaging to local authorities, the DfE has stressed that the Green Paper represents a longer term programme of change - changes will not resolve short to medium term financial stresses - and that local authorities must take action now to secure the sustainability of their High Needs Blocks. The DfE indicates that the introduction of a national banding system for the allocation of top-up funding for EHCPs is a development for the medium, not for the short, term. The DfE has also stated that changes in mainstream financial mechanisms related to high needs (such as review of the £6,000 element 2 value and threshold, and the definition of Notional SEND budgets) will be progressed within the development of the 'hard' National Funding Formula (NFF). The DfE has stated its intent to fully implement the hard NFF by 2027/28. The DfE has recently published its response to the latest NFF consultation (we present this to the Forum in Document PX). This response says very little about the immediate development of high needs formula funding mechanisms, though it does confirm the continuation of the calculation of a notional indicative SEND budget and indicates that there might be some review of the DfE's guidance on this for 2024/25. However, the general tone of the DfE's response perhaps indicates that, although there may be smaller changes, any bigger changes in funding mechanisms will not come in 2024/25.

- c. We have no new information, since last presented in January 2023, which changes our view about the continuing rate of growth in the number of requests for assessments for EHCPs, in the number of EHCPs that are funded, and in the number of requests for specialist placements. This is information that will continue to be collected over time, to confirm or to change our forecast.
 - d. We have no new information, since last presented in January 2023, which updates our understanding of whether the rate of increase in High Needs Block funding that is allocated by the DfE will keep pace with the rate of growth in our costs. We still anticipate that our cost growth will exceed funding growth in 2024/25 and in 2025/26. We expect 2024/25 High Needs Block allocations to be published in July 2023.
6. We are still in the process of closing down the 2022/23 financial year, to confirm the High Needs Block spending position and the confirmed value of surplus balance that will be carried forward into 2023/24. This will be presented to the Schools Forum, as usual, in July. For the planned budget, which was discussed with the Forum in January, we estimated a High Needs Block carry forward balance of surplus £25.83m.
 7. For the planned budget, we estimated that we may need to allocate a sum of £3.28m from this carry forward balance to generally support 2023/24 High Needs Block spending. This included a budget of £3.4m for new

specialist places. It is still very early in the financial year for us to be able to assess in the round whether our forecast should be substantially revised.

8. Finally, Forum members are reminded that the Authority presented reports in May (Document OM) and July (Document OR) 2022, following discussions regarding the use and retention of the High Needs Block surplus balance that was carried forward from the 2021/22 financial year. The July 2022 report set out a plan for £920,000 of investment, in 3 areas, in support of inclusion. This initial investment will run to the end of the 2022/23 academic year, where it has been agreed that a review of impact will inform whether the High Needs Block surplus balance continues its investment in these areas. For planned budget purposes, back in January, we assumed that the £0.920m would continue.

Review – What is the DfE expecting local authorities to do?

9. Ultimately, the DfE expects local authorities to achieve financial sustainability within their High Needs Blocks.
10. As stated above, in its recent messaging, the DfE has stressed that the SEND Green Paper represents a longer term programme of change - changes will not resolve short to medium term financial stresses - and that local authorities must take action to secure the sustainability of their High Needs Blocks. The Green Paper does however, set out a direction of travel, focusing on inclusion, early intervention, consistency, and effective use of specialist places (reducing over use of more expenditure independent placements), from which we can see that cost savings to the High Needs Block are an intended consequence. The development of a national banding system for the allocation of top-up funding for ECHPs would deliver spending savings in local authorities that are currently allocating higher values of top-up than the DfE determines, albeit that the level of funding individual settings would receive would reduce and would no doubt need to be protected in transition. A review of the £6,000 element 2 threshold could also have substantial implications for the High Needs Block. For example, if the threshold was increased to £8,000, with no transfer of funding between the High Needs Block and the Schools Block in response, the cost of top-up to the High Needs Block for every EHCP would automatically reduce. However, this could go the other way, or not change at all. It is also clear that new and / or enhanced activities that are to be developed to support alternative provision early intervention, and to strengthen SEND inclusion, are likely to offset savings, especially in the short term. It is highly possible that savings will only come after more spending takes place. The SEND Green Paper therefore, is not likely to 'solve' (or perhaps even contribute significantly to solving) our 3-year financial forecast deficit issue.
11. In the short term, alongside formal intervention activities (such as the 'Safety Valve Programme' for local authorities with the largest DSG deficits), the DfE has published a number of pieces of guidance for all local authorities to consider. This guidance ultimately focuses on the following main recommendations for local authorities (these are closely quoted from the DfE's guidance):
 - a. Local authorities should invest properly in SEND leadership, with dedicated time for strategic functions to avoid constant distractions from operational pressures.
 - b. Authorities should review their joint commissioning arrangements to support more balanced contributions to high needs provision from the 3 key services (Education, Health and Social Care).
 - c. Officers with SEND and Finance Responsibilities should have joint accountability for effective management of this area, with high priority given to effective communication and mutual support.
 - d. Local authorities should review their capacity for SEND support (and its funding base) to help strengthen their influence on the range of relevant outcomes. They should develop clearer agreements with services, which set out commissioning expectations and monitoring arrangements.

- e. Local authorities should review their current staffing levels and structures for SEND casework and enhance where necessary, as part of their broader strategy for improvement management of high needs expenditure and quality of service delivery.
 - f. Local authorities should review and further develop their approaches to partnership with key stakeholders, taking into account the positive practices that are described in the DfE's guidance.
 - g. When creating new specialist provision, local authorities should be clear about the expected range and levels of need that this will cater for. They should also consider the potential impact on future demand and whether this can be financially sustained. The case for any proposed development should include detailed projections on the balance between investment and savings.
 - h. With regard to developments in local mainstream provision, investment should be targeted at strengthening inclusion, with impact monitored and evaluated at that level.
 - i. Local authorities should set out more clearly their expected pathways for young people with different levels of need, ensure that these are presented earlier and more clearly to young people and their parents, and evaluate quality and outcomes on a more regular basis. Pathways should be realistic but ambitious.
 - j. Local authorities should learn from positive examples of innovative approaches to mainstream funding (including the option of greater devolution of resources to individual schools / groups of schools with clear expectations of outcomes).
12. National Review so far has also identified the following opportunities for strengthening National Policy, which are captured within the SEND Green Paper:
- a. Clarification of the role of local authorities in commissioning.
 - b. Developing accountability and partnerships: at strategic level; across groups of schools; active engagement with parents.
 - c. The development and strengthening of local provision, and reducing reliance on EHCPs, through: establishing better understanding of what is 'ordinarily available'; involvement of all school leaders in local cluster working, with collective responsibilities and peer challenge and support as part of a local accountability framework; ensuring greater transparency in the use of mainstream delegated SEND funding; stronger profile to SEND pathways that include those with more significant needs who may not "close the gap".
 - d. Authorities and clusters, learning and from each other, maximising opportunities for creativity and innovation.
13. The Local Authority is now further considering the DfE's guidance, and this will form part of our developing plan. Some aspects are already being acted on. For example, the Forum will identify that the Authority has for some time now closely reviewed the creation of specialist places, and that we have looked to invest in inclusion (the £0.920m investment from the High Needs Block balance) and will review the impact of this investment. The Authority has also recently closely considered the capacity and organisation of teaching support services, which are funded from High Needs Block, and of EHCP assessment services, which are funded from the Council's base budget. The Authority reviewed our definition of Notional SEND budgets and amended this for the 2023/24 financial year. The Authority's SEND Funding Floor serves already to support the inclusion of children and young people with EHCPs in mainstream schools.

Developing A Mitigation Plan – What do we need to consider (for 2024/25)?

14. A starting point for the development of a plan is to look at the High Needs Block, broken down by size of budget. We might assume, at the planning stage, that mitigation would come more significantly from the larger budgets. The table below repeats the 2023/24 High Needs Block planned budget at summary heading level, sorted by cash value / percentage of the total budget.

Budget Heading	2023/24 (£m)	%
Place Plus - Maintained Special Schools and Special School Academies	£38.182	31.5%
Independent & OLA Placements & Education OLAs	£21.750	18.0%
Mainstream EHCPs (Pre 16) including SEN Funding Floor and PVI EHCPs	£18.604	15.4%
Place Plus - EHCPs Post 16 in Further Education institutions	£9.008	7.4%
Place Plus - School-Led Resourced Provisions Primary & Secondary	£6.097	5.0%
Teaching Support Services	£5.715	4.7%
Place Plus - PRUs & Alternative Providers	£4.067	3.4%
Place Plus - Other LA Resourced Provisions	£3.522	2.9%
Place Plus - New SEND Places not yet allocated	£3.409	2.8%
Place Plus - LA-Led Resourced Provisions - Sensory	£2.752	2.3%
Place Plus - Early Years Enhanced Provisions	£1.650	1.4%
Medical Home Tuition, EinH & Tracks Central Service	£1.583	1.3%
TPG & TPENG special schools, resourced provisions and AP providers	£1.540	1.3%
Grant to Special Schools / Academies & PRUs / AP re. the 3.4%	£1.393	1.2%
BSF (PFI) - Special Schools	£0.917	0.8%
Speech & Language Therapy Services	£0.328	0.3%
Special Schools Inclusion Outreach	£0.240	0.2%
Mainstream EHCPs (Post 16 element 2 cost)	£0.150	0.1%
Specialist Equipment	£0.100	0.1%
Copyright Licences	£0.078	0.1%

- a. The top three budget headings (special schools and special school academies; mainstream EHCPs; OLA, independent and non-maintained placements) account for nearly two thirds of the High Needs Block planned budget (65%).
 - b. The top five headings (adding school-led resourced provisions and post-16 EHCPs in Further Education institutions) account for more than three quarters of the High Needs Block planned budget (77%).
 - c. 93% of the High Needs Block planned budget in total is allocated to the cost of places provision. Correspondingly, 7% is allocated to other centrally managed expenditure, of which the most significant spend heading is Teaching Support Services (5%).
15. The forecast that we presented to the Schools Forum in January (repeated in paragraph 1) indicated the potential development of a very sizeable value of in year overspending, with a £10.53m overspend forecasted in 2024/25. We can now broadly assume that the SEND Green Paper reforms will not substantially contribute to us achieving a balanced High Needs Block budget over the next 3-year period, and certainly not in 2024/25. We now know that we have not been successful in achieving a Special School Free School. There are though still 2 significant uncertainties: the level of funding we will receive from the DfE and the continuing rate of growth of SEND in Bradford. At this time, we do not have any new information on these. It is anticipated that, by September 2023, we will have some more intelligence on what both 2023/24 and 2024/25 look like financially, including news of the DfE's 2024/25 DSG settlement and information in respect of the continuing scale of growth in the numbers of

EHCPs and placements this year. We will also be in position to review the impact of our £0.920m investment strategy spending, and whether this continues, and to review the creation of new specialist places for the 2023/24 academic year.

16. As we continue to consider strategic aspects of our approach to supporting high needs children and young people, in the light of the DfE's guidance and recommendations, for 2024/25 we will specifically need to consider what the balance should be between us using available High Needs Block carry forward balance (reserves) to cover any overspending vs. taking some action to reduce the size of the overspend, most prominently, by controlling / constraining / reducing the funding that is allocated via our High Needs Block place-plus funding models. We will also need to consider whether we can continue to afford to create more specialist places (and also consider the relationship of this creation to the cost of independent placements).
17. In its NFF response, the DfE has confirmed that there will continue to be the flexibility for local authorities to transfer Schools Block funding to the High Needs Block, adjusting mainstream schools and academies formula funding to do so. This is an aspect of sustainability that we will need to discuss more closely i.e. the ability to transfer, though subject to Secretary of State approval, is a mechanism that is available to help avoid High Needs Block deficit and / or to help us to finance High Needs Block activity that we otherwise may not be able to afford. Within the development of our mitigation plan, we need specifically to consider in what circumstances we would consider using this facility, for example, in a situation where the alternative would be to reduce or cease existing spending that mainstream schools and academies directly benefit from (such as the SEND Funding Floor or mainstream teaching support services) or where a transfer is made to enable additional investment in activities that mainstream schools and academies directly benefit from, such as inclusion support or alternative provision early intervention activity.
18. **The Schools Forum is asked to consider this update and to discuss how members would like to be involved in the further development of a mitigation plan over the summer and early autumn, with this feeding immediately into the 2024/25 DSG formula funding and decision making cycle.**