

MINUTES OF THE MEETING OF THE SCHOOLS FORUM HELD ON WEDNESDAY 14 MARCH 2018 AT CITY HALL, BRADFORD

Commenced 0805

Concluded 1010

PRESENT

SCHOOL & ACADEMIES MEMBERS

Ashley Reed, Brent Fitzpatrick, Deborah Haworth, Dianne Richardson, Dominic Wall, Donna Willoughby, Emma Hamer, Gill Holland, Helen Williams, Ian Morrel, Kevin Holland, Mary Copeland, Nicky Kilvington, Sue Haithwaite, Wahid Zaman, Trevor Loft

NON SCHOOL MEMBERS

Ian Murch, Vivienne Robinson

LOCAL AUTHORITY (LA) OFFICERS

Andrew Redding	Business Advisor (Schools)
Asad Shah	Committee Services Officer
Michael Jameson	Strategic Director, Children's Services
Susan Kuprinski	Principal Finance Officer – Schools
Ken Poucher	Primary Achievement Officer
Yasmin Umarji	Strategic Relationship Manager
Lynn Donohue	Early Years Strategic Manager (<i>substitute for Judith Kirk</i>)

APOLOGIES

MEMBERS - Alison Kaye, Donna Willoughby, Nigel Cooper, Ray Tate, Sally Stoker and Tehmina Hashmi. OFFICERS - Judith Kirk and Raj Singh

DIANNE RICHARDSON IN THE CHAIR

306. DISCLOSURES OF INTEREST

Declarations were received from Dominic Wall, Emma Hamer, Ian Morrel and Trevor Loft for agenda item 7 “SEMH and SEND Reviews – Progress Update”, (minute 311).

ACTION: *City Solicitor*

307. MINUTES OF 10 JANUARY 2018 & MATTERS ARISING

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

- **Recommendations of the Schools Forum on the 2018/19 DSG:** The Forum’s recommendations were accepted in full by the Executive and then by Council on 22 February. The Authority is now engaged in implementing these recommendations. An update on a number of DSG matters is provided under agenda item 8.

- **SEND Review Consultation & Wider SEMH Review (Item 298 page 99):** An update on these matters is provided under agenda item 7.
- **Indicative Delegated Budgets 2018/19 (Item 302 page 103):** An additional report is provided within the meeting pack, which explores the relationship between funding pre-16 expansion and what happens to funding following the closure of post 16 provisions in secondary schools. A further report is also provided separately in response to the request for further information on the Authority's monitoring framework of the compliance with post 16 participation legislation. On the issue raised re. FSM data, it was reported that schools and academies in a number of forums have been reminded to check the accuracy of their FSM data. The Authority believes that there was some misunderstanding within the concern expressed at the last meeting about a SIMS software issue. Having discussed this with the Authority's data team, it is a standard annual requirement for SIMS users to manually transfer classes and pupil data into the new year (otherwise data such as FSM is not brought forward).

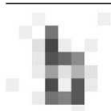
Other Matters Arising

- **Ratification of decision following the notification of FSM data error:** The Business Advisor explained that the Schools Forum is now asked to formally ratify the decision that was taken by the Authority, in consultation with the Chair and Vice Chair, following the notification by the ESFA of the error made in the FSM data, which came after the Forum had made its recommendations on 10 January. A copy of the email that was circulated to Members on 17 January is included in the report pack. The decision made was to not materially alter formula funding for primary and secondary schools, from the recommendations that the Forum had made, other than to re-calculate allocations using the corrected FSM data, which the ESFA required us to do. The result of the revision is that the cost of Schools Block formula arrangements is £52k lower than we set out in papers on 10 January and this sum will be held unallocated within the Schools Block. Forum Members did not ask any questions on this matter.

Resolved –

- (1) That progress made on “Matters Arising” be noted.
- (2) That the minutes of the meeting held on 10 January 2018 be signed as a correct record subject to Deborah Haworth and Gill Holland (Bronte Academy Trust members) being recorded as present.
- (3) That the decision made in response to the FSM data error, circulated by email to Members on 17 January, be formally agreed and recorded for the purposes of the minutes.

ACTION: *City Solicitor*



308. **MATTERS RAISED BY SCHOOLS**

A Member asked for clarification on to the Council's position regarding the national pay award for NJC scale employees. The Business Advisor confirmed that Bradford Authority, following current agreements, will adopt the national pay award when this is decided. We understand that the national employers meet this week to discuss the offer that was made in December and the positions of / feedback from the Trades Unions following their consultations with their members. It is anticipated therefore, that a final decision will be taken shortly. Bradford Council will adopt the agreed national pay settlement.

No resolution was passed on this item.

309. **STANDING ITEM - DSG GROWTH FUND ALLOCATIONS**

There were no new allocations for 2017/18 for consideration at this meeting.

No resolution was passed on this item.

310. **LOOKED AFTER CHILDREN PUPIL PREMIUM PLUS**

The Headteacher of the Virtual School (VSH) and the Authority's Strategic Relationship Manager attended the meeting to present **Document IN**.

The Chair highlighted for Members that this is an update for information rather than decision, following from requests that have been made by Members in recent meetings. In introducing this item, the Chair also, referencing the length of time since the last CLA report was presented, proposed that a report now be provided for the Schools Forum annually on the work of the Virtual School and on the progress made by Children Looked After. This proposal was accepted by both Authority officers and Forum Members.

The VSH explained that the value of Pupil Premium Plus for CLA will increase at April 2018 from £1,900 to £2,300 and that the Authority plans to retain 25% of the value of PPP on an on-going basis to finance the additional VSH activities provided to support CLA in schools.

In response, Forum Members made the following comments and asked the following questions:

- The Vice Chair asked for clarification on whether the Pupil Premium Plus allocated to schools (75% of the PPP) was ring-fenced. The VSH confirmed that the monies are not ring-fenced to individual pupils but must be spent on CLA. The Vice Chair explained that he wishes for the Authority and the Forum to be aware that substantial Schools Block formula funding is allocated by schools to support CLA on top of Pupil Premium Plus monies and that this is a cost pressure (increasing cost pressure) on school budgets. Schools are also accountable for the impact of these monies.

- The impact measures presented in the report are school-based measures; how does the VSH isolate specifically the impact of the work of the Virtual School and the impact of the 25% that is retained? The VSH responded to explain that the Virtual School employs 29 associates that work directly with schools and CLA individually with the impact being the maintenance of outcomes for these pupils, including attendance, and also in responding to support pupils that may fall into crisis. The VSH advised that an additional 10 associates have been employed this year.
- The Chair asked for further information on the breakdown of working by phase of the associates. A Member also asked for the next report to provide more information about the impact of the VSH in supporting CLA in special schools. Another Member asked for the report to include both soft (non-financial) and hard impact data.
- A Member asked for clarification and further advice on how schools and academies can use their PPP monies received from other authorities for OLA pupils to purchase support from Bradford's Virtual School. The Member referred to the safeguarding implications and also lack of consistency of approach between authorities, expressing a view, supported by other members, that financial arrangements around the allocation of PPP monies are currently too complex. The VSH explained that there are no fixed rules; the vast majority of local authorities retain some value of PPP monies.
- There was some discussion about whether the retention of PPP will be expressed as a set cash value or a % going forward. The VSH explained that he wished to set retention at 25% in principle from April 2018 and on an on-going basis to future proof where the value of the PPP may change in the future.

Resolved –

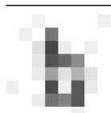
- (1) **That the information in Document IN be noted, including the Authority's planned retention of 25% of the value of Pupil Premium Plus from April 2018.**
- (2) **That the additional information requested by Members (recorded in the minutes) be presented to the next meeting.**
- (3) **That the Schools Forum receives a report annually, as part of its standard work plan, on the work of the Virtual School and the impact of Pupil Premium Plus monies.**

Action: *Headteacher of the Virtual School*

311. SEMH AND SEND REVIEWS – PROGRESS REPORT

The Business Advisor (Schools) introduced this item by giving a presentation verbally on the position of the SEMH and SEND reviews. In summary:

- The minutes of Forum meetings record a number of comments and requests made by Members, both generally and for specific consideration, as well as record an 'uplifting' of Members' concerns about what is needed to ensure the successful delivery of the



significant change management programmes currently underway and the risks within these programmes as well as their immediacy. Specific requests and comments have been made on:

- The process (and knock on consequences) for the re-designation of primary PRU and Ellar Carr
 - The position of wave 13 free schools and what are the Council's 'plan B' options
 - The position of the SEMH free school
 - The position of the delivery of interim places
 - The Council's capital plan in particular with reference to how this is supporting the creation of SEND places in the interim and also how it can support the alternative provision review
 - The Council's home to school transport plan
 - The concern to ensure that the creation of places is 'future-proofed' based on latest demographic data
 - The nature of the model that would be used to trade with schools in the delivery of specialist teaching support
 - The financing of redundancies that may come from the SEND review
 - The development of local financial agreements relating to permanent exclusion and the Council's Fair Access Policy
 - The role of health services
- The Business Advisor stressed that, although he is not able at this stage to give categorical answers to a number of these questions and comments, he can re-assure Forum Members that these are noted and have been shared. He explained that he is also able to describe the developments that have taken place since the Forum last met. He stated that what will also become clear is that Members of the Forum have also thought closely about the way forward and have proposals to share on these. The Business Advisor drew the attention of Members to the additional reports that are tabled from the Vice Chair and an Academies Member.
 - The Business Advisor stated that he wished specifically to bring to the Forum's attention the concerns that have been raised with the Authority more formally by the District Achievement Partnership (DAP). The DAP has asked the Authority to more urgently look at the position of top up funding for the special schools sector and has asked for a closer assessment of whether the children currently in special schools in Ranges 4D - 4A (mainstream ranges) have been placed in the funding bands appropriate to their needs. This is an evidence-based piece of work that the Authority is now actively engaged in.
 - The Forum should also be aware:

- That progress is continuing to be made on implementing the financial arrangements associated with the commissioner's direct funding of non-EHCP placements in District PRU, Central PRU and the primary behaviour centres from September. Some concerns are still being expressed about the impact of new top up funding arrangements from September 2018 on certain settings, which the Authority is talking to settings about.
- The Authority is now initiating conversations about establishing a 'local agreement' for the primary sector.
- The consultation feedback on the SEND Review of specialist teaching services and the review of Prevention and Early Help is scheduled to be presented to the Executive for decision at the beginning of April. Decisions on the expansion of maintained special schools and DSPs in maintained mainstream schools, which will formally enable the first 2 tranches of interim places, are expected to be taken at this meeting. We still await approval from the RSC for the expansion of academy settings.
- The DfE has given the Authority the permission to seek a new sponsor for the SEMH free school and the Authority will now actively progress this.
- A number of very positive meetings have taken place in recent weeks bringing together parties interested in the development of the District's behaviour continuum. Expressions of interest are now being collected with the aim of shaping this provision. There are a number of 'moving parts' here to settle but the purpose is to develop with schools and academies a clear strategic plan for the development of alternative provision places in both the short and longer terms. It is also expected that the settling of these moving parts will also enable the re-designation of the 2 identified PRUs to special schools.
- The Authority, with key partners, is scheduled to meet with the RSC on 26 March to discuss this plan as well as the position of wave 13 free schools and the SEMH school. This meeting will pull together a number of conference calls with the RSCs office that have taken place. We expect greater clarity and action to come from this meeting.

Following this update, the Chair invited both the Vice Chair and the Academies Member to present their reports.

The Academies Member introduced his report by stressing the extent to which resources for high needs pupils, along with the pupils themselves, currently sit within the Schools Block and mainstream provision and the extent to which the development of academies will influence the shape of our high needs provision going forward. He asserted that it is crucial that MATs work in collaboration within an agreed 'Bradford' structure / framework. We must safeguard the position of our High Needs Block going forward. The Member put



forward the proposition that the Authority establishes and chairs a 'High Needs Block Steering Group' (indicatively titled), as a standing group of the Schools Forum, that any setting or organisation that provides high needs services in Bradford can participate in. The role of this group will be developed, but this will include recommending to the Forum and the Authority the framework through which providers will deliver high needs provision and will access funding from Bradford's High Needs Block.

The Vice Chair presented his report, which also proposed the establishment of a 'steering group'. He emphasised the multi-layered complex landscape and the possibility for unintended consequences. A key job of the steering group will be to model and monitor holistically the impact and consequences of decisions and developments.

The Strategic Director, Children's Services, welcomed the proposal for the establishment of a 'steering group'. He stated that the terms of reference of this group, as well as the membership, will need to be clarified. He asked, for example, whether the Regional Schools Commissioner, should be invited to be a member. The Chair suggested that this would be a good idea but should not delay the establishment of the group. Within his response on this proposal, the Strategic Director provided some information about interim leadership arrangements following the departure of the current Deputy Director. He confirmed that the Interim Director for Access and Inclusion will be asked to bring together the steering group.

Resolved –

- (1) That the update on the progress of the SEMH and SEND reviews be noted.**
- (2) That the two additional reports tabled at the meeting by Members be welcomed.**
- (3) That the Local Authority establishes a new standing Schools Forum sub-group, indicatively titled the 'High Needs Block Steering Group', with the membership and remit of this group to be developed in consultation with the Schools Forum. That this group be established as quickly as possible.**

Action: *Strategic Director, Children's Services*

312. UPDATE ON MATTERS CONCERNING THE 2018/19 DEDICATED SCHOOLS GRANT

The Business Advisor (Schools) presented a report, **Document IO**, which provided an update on a number of matters relating to the 2018/19 Dedicated Schools Grant.

The substantive report item was the benefit vs. cost analysis of trade union facilities time, which the Schools Forum was requested to consider so that DSG / de-delegated funding arrangements for trade union facilities time for 2018/19 can be confirmed. Following the Business Advisor's summary of the report, the Member representing Teaching Trades Unions, having declared his interest, emphasised the complexity of the landscape in Bradford, stressing that 2/3rds of academies and high needs settings currently buy into the Authority's Trades Unions facilities time arrangements. An Academies Member stated that there is a growing issue with academy trusts buying into arrangements for union facilities



time when trusts do not have members in particular unions and where some trusts do not purchase the health and safety facilities time element. These issues will need to be looked at in the future to ensure continued value for money.

In seeking to sum up the position of the Forum on this matter, the Chair stated that the Forum appears comfortable with the current cost of arrangements and with the information provided in the report. Members recognise the experienced professional support, and therefore, the value for money, that the current arrangements delivery. The Chair's summary statement was supported by Members.

Resolved –

- (1) That the information provided in Document IO be noted.**
- (2) Follow the review of the 'benefit vs. cost' analysis, that de-delegation for trade union facilities time for the 2018/19 financial year continues at the current per pupil value.**

Action: *Business Advisor (Schools)*

313. AMENDMENTS TO THE SCHEME FOR FINANCING SCHOOLS AND LINKED DOCUMENTS (FINANCIAL REGULATIONS FOR MAINTAINED SCHOOLS AND SCHOOL CONTRACT STANDING ORDERS)

The Business Adviser (Schools) explained verbally the Authority's current reviews of the Scheme for Financing Schools and linked documents – the Authority's Financial Regulations for Maintained Schools and School Contract Standing Orders. The Forum was asked to note that the Authority intended shortly to publish a consultation on amendments.

The Forum was asked to note that, following the Forum's discussion and decision, the Financial Regulations for Maintained Schools and the School Contract Standing Orders would be presented to the Authority's Governance & Audit Committee. The Authority intended to implement the agreed amendments as soon as possible following the completion of the consultation and decision making processes.

Forum Members did not ask any questions on this item.

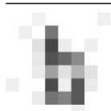
No resolution was passed on this item.

314. MATTERS CONCERNING SCHOOL AND ACADEMY BUDGETS

The Business Advisor (Schools) presented **Document IP**, 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 anticipated cost pressures within school and academy budgets over the 2018-2021 period.

The Business Advisor highlighted that:

- The volume of academy conversions has significantly dropped in 2017.



- There are a small number of planned primary sponsored conversions that we estimate at this time will hold small values of deficit budgets. We are working in / with these schools to limit the values of deficits.
- The financial landscape continues to be very challenging. It is not just the scale of the possible increase in expenditure over 2018-2021 that is of concern however, but also how uncertain the position is. Schools and academies will need to closely monitor their budget assumptions and take swift corrective action where these are confirmed to be inaccurate.
- The Authority's identifies, on current school-based forecasts, that revenue surplus balances held by maintained schools will have again reduced significantly during 2017/18. Given the on-going financial pressure, schools need to think very carefully about how they deploy what reserves they may have.

The Chair asked for Forum Members to support communicating the key messages across schools and academies.

- (1) **That the information provided in Document IP be noted.**
- (2) **That Members communicate to colleagues the warnings that are given in Document IP about the estimated continued growth of cost pressure within school and academy budgets across 2018-2021.**

Action: *Business Advisor (Schools)*

315. **SCHOOLS FORUM STANDING ITEMS**

No resolution was passed on this item.

316. **ANY OTHER BUSINESS / FUTURE AGENDA ITEMS**

No resolution was passed on this item.

317. **DATE OF NEXT MEETING**

The next meeting of the Schools Forum is Wednesday 23 May 2018 *(please note that the date has been moved from the 16 May 2018).*

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