

**MINUTES OF THE MEETING OF THE SCHOOLS FORUM HELD ON  
WEDNESDAY 5 DECEMBER 2018 AT CITY HALL, BRADFORD**

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Commenced 0805

Concluded 1110

**PRESENT**

**SCHOOL & ACADEMIES MEMBERS**

Ashley Reed, Brent Fitzpatrick, Bryan Harrison, Carol Dewhurst, Deborah Howarth, Dianne Richardson, Emma Hamer, Helen Williams, Kevin Holland, Nicky Kilvington, Nigel Cooper, Sian Young, Sue Haithwaite, Trevor Loft, Wahid Zaman.

**NON SCHOOL MEMBER**

Ian Murch, Vivienne Robinson

**NOMINATED SUBSTITUTE**

Alison Kaye

**LOCAL AUTHORITY (LA) OFFICERS**

Andrew Redding	Business Advisor (Schools)
Asad Shah	Committee Services Officer
Ken Poucher	Primary Achievement Officer, Virtual Schools
Marium Haque	Deputy Director, Education and Learning
Raj Singh	Business Advisor (Financial Services)
Dawn Haigh	Principal Finance Officer (Schools)

**APOLOGIES**

Member - Dominic Wall, Donna Willoughby, Gill Holland, Ian Morrel, Maureen Cairns, Ray Tate, Graham Swinbourne. Councillor - Councillor Khan, Portfolio Holder for Education, Employment and Skills. Officer - Gladys Rhodes White, Strategic Director, Children's Services.

**OBSERVERS**

Councillor Pollard

**DIANNE RICHARDSON IN THE CHAIR**

**360. DISCLOSURES OF INTERESTS**

The following disclosures of interest were received in the interests of clarity:

- Helen Williams, Sue Haithwaite for agenda item 5 "Standing Item - DSG Schools Block Growth Fund Allocations", (minute 363).
- Emma Hamer, Trevor Loft for agenda items 6 "Strategic SEMH & SEND Reviews", (minute 364) and 12 "Consultation Outcomes - Funding High Needs 2019/20", (minute 370).
- Ian Murch for agenda item 14 "Central Schools Services, Early Years & Schools Block Funds", (minute 372).

## 361. MINUTES OF 17 OCTOBER 2018 & MATTERS ARISING

a) To agree the minutes of 17 October 2018 as a correct record.

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

- **Falling Rolls Fund / Under-Subscription (item 349 page 5):** The sub-group met on 27 November and the feedback from this group is picked up under agenda item 10. Responding to the specific question that was asked, regarding how the Ofsted category of a recent academy conversion is determined, the ESFA has confirmed that the most recent Ofsted judgement for the school prior to conversion is to be used.
- **Formula Consultations (Items 350, 351 & 352):** These consultations have been completed and feedback is presented to this meeting under agenda items 10, 11 and 12. An analysis of the feedback is tabled.
- **DSG Central Items and De-Delegated Funds (item 353 page 9):** A further report is presented to this meeting under agenda item 14. This includes the re-issue of the analysis of Trade Union Facilities Time for the Forum’s consideration.
- **Amendments to the Scheme for Financing Schools (item 354 page 9):** The Scheme and the other 2 documents (FRfMS and SCSOs) were agreed without amendment by the Council’s Governance Committee on 29 November. The final documents are now published on Bradford Schools Online with a ‘go live’ date of 1 January 2019.
- **PFI / BSF Contractual Matters (item 357 page 10):** Having discussed this with the relevant officers, there is nothing further to report to the Schools Forum at this time. An update is anticipated to be provided to the March 2019 meeting.

### Other Matters Arising

- The Business Advisor reported that the ESFA has agreed to our ‘**dis-application**’ request for Silsden Primary School for 2019/20, which was agreed by the Schools Forum in September.
- The **DfE’s the Teacher’s Pay Grant** for 2018/19 has now been allocated. The DfE required the Authority to determine the allocation of a block grant to high needs providers. We did this in consultation with the District Achievement Partnership and separately with the providers that were not present at the DAP meeting where this was considered.
- The DfE has not yet published its **consultation on the future funding arrangements for education in hospital and medical home tuition provision**. This had been expected in October. The Business Advisor stated that we are concerned about this consultation as we currently receive a specific allocation of £1.6m within our High Needs Block and have ‘heard on the grapevine’ that the values of funding to be allocated through a new formula are substantially reduced. If so, this would place greater pressure on our DSG.

- **Unplaced children at the October Census:** The Business Advisor reminded Members that in previous years we have reported the number of children that were ‘in the system’ but have not been allocated a place in a primary or secondary school before the October Census was taken. On a simple basis, we do not receive DSG funding for the children that are not placed by this time. The figures unplaced, in the context of the total number of applications, over the last few years have been:
  - October 2015: 143 out of 1,499 applications (10%).
  - October 2016: 140 out of 1,594 applications (8.8%)
  - October 2017: 115 out of 1,500 applications (7.7%)

The Business Advisor reported that the equivalent figure for the October 2018 Census is 151 out of 1,800 applications (8.4%). The Chair reported that the Head of Admissions has discussed with primary colleagues how to improve the placement rate for the primary phase next year but identified that the larger number unplaced was in the secondary phase. The Chair asked that this be raised with the Secondary CEOs. An Academies Member said that they would raise this at the December CEOs meeting.

**Resolved –**

- (1) That progress made on “Matters Arising” be noted.
- (2) That the minutes of the meeting held on 17 October 2018 be signed as a correct record with the agreed amendments to the meeting attendance.

**ACTION:** *City Solicitor  
Business Advisor (Schools)*

### **362. MATTERS RAISED BY SCHOOLS**

No resolutions were passed on this item.

### **363. STANDING ITEM - DSG SCHOOLS BLOCK GROWTH FUND ALLOCATIONS**

Members were asked to consider, in **Document JP**, newly proposed allocations to secondary schools and secondary academies from the established DSG Schools Block Growth Fund in 2018/19. These were agreed without questions or comments.

**Resolved –**

- (1) That £486,816 be allocated from the Secondary Phase Growth Fund as set out in Document JP.
- (2) That a forecasted sum of £1,122,628 of surplus balance within the 2018/19 Growth Fund is ring-fenced and is to be carried forward into 2019/20.

**ACTION:** *Business Advisor (Schools)*

### **364. STRATEGIC SEMH & SEND REVIEWS**

The Deputy Director, Education and Learning, provided an update on the Authority's strategic reviews of SEND and Alternative Provision. The Deputy Director reported:

- That the Authority is currently engaged in a number of discussions with schools and providers about the development of our SEND provisions and our alternative provisions.
- That an outline plan for the development of additional specialist places during 2019 will be presented to the Schools Forum on 9 January. This plan will set out the number of places by type of need, by type of provision and by district area. The timescale for the establishment of these places is mainly September 2019. However, the Authority recognises the urgency of this work and will establish places sooner where possible. The SEND Intelligence and Sufficiency Manager added that there are statutory processes that need to be followed and that these are different for the academy sector. She also explained that the Authority is looking in detail at how spare buildings capacity within schools and across the Council's wider estate can now be used to develop SEND places capacity. A number of conversations are taking place with schools on this.

The Chair asked for an update on the position of the SEMH free school. The Deputy Director stated that interviews with potential sponsors were held on 23 November and, at this time, we are not able to disclose the outcomes - decisions need to be ratified by the Secretary of State and this is expected before Christmas.

The Chair asked for an update on the position of our application for a new ASD free school. The SEND Intelligence and Sufficiency Manager stated that no further response to our application has yet been received. The Chair asked whether there is any further lobbying that can be done on this. The SEND Intelligence and Sufficiency Manager responded that lobbying has already taken place and also that we need to bear in mind that this new school, if we are successful, would not be in place until 2023. The Deputy Director added that there will be a general election before this and this might affect the actual delivery of any new free school. Accepting this, the Chair stressed that given the number of additional places needed in Bradford this is still a strategy that we need to continue to pursue.

**Resolved –**

- (1) That the update be noted.**
- (2) That the Authority's plan for the creation of additional specialist places be presented in outline to the next meeting.**

### **365. PUPIL PREMIUM GRANT FOR CHILDREN LOOKED AFTER**

The Schools Forum was asked to consider a report, **Document JR**, which set out the Local Authority's plan for the allocation of Pupil Premium Grant for Children Looked After from April 2019. This report set out the Authority plan to retain 50% of LAC PPG from April 2019, which is in more line with the position of PPG retention regionally.

The Headteacher of the Virtual School (VSH) explained the reasons for this change and the purposes for which the monies are to be retained, focusing in particular on the feedback and challenge from HMI within the recent ILACS. He stressed that the impact of these monies will be reviewed annually.

In the discussion on this report, Members asked the following questions and made the following comments:

- How did HMI comment on the effectiveness / impact of the currently retained 25% of PPG? The VSH responded that HMI's feedback was very clear – that where the Virtual School intervenes there is strong evidence of impact but that the central team is too small and too many schools are not delivering sufficient outcomes with their 75%. HMI questioned why, in this position, when outcomes for LAC have been low, the VSH has not reviewed the PPG retention / allocation model.
- Special schools no longer (from September 2019) have a mechanism for showing pupil progress. How will the VSH evidence to HMI impact on LAC outcomes and effective use of PPG for the special school sector? The Deputy Director responded that the VSH and HMI will use PEPs and will inspect impact on a detailed case by case basis.
- The retention of 50% LAC PPG takes more resource away from schools. The VSH responded that “centrally retained” does not mean that this money is lost to schools. Schools can apply for, and the VSH allocates, additional monies from the retained funds on a pupil-specific basis to provide additional targeted support.
- The retention of more monies penalises schools that are currently doing well. The VSH responded that this change will reduce the funding for some schools but that the VSH has to manage the resources available for the needs of all LAC across the district. Greater retention does enable more resources to be deployed in support of individual children where this is required. The VSH is also responsible for our LAC in OLA and independent provisions and our lack of capacity to monitor this currently was criticised by HMI during the inspection.
- It would be useful for regular feedback to be given to schools where their provisions for LAC are not judged by the VSH to be adequate. The VSH responded that this will happen following the expansion of the capacity of the Virtual School. The Chair added that schools will wish to see a “more visible” VSH service on the back of increased retention.
- What will the 50% be spent on – people or grants to schools? The VSH responded that it will be spent on both increasing the size of the central team and also on adding to targeted grants in support of individual pupils.
- The Forum would like an annual report on the impact of the VSH's use of funding, which clearly identifies impact on primary & secondary phases separately.

#### **Resolved –**

- (1) That the information presented in Document JR, including that Bradford's Virtual School for Looked After Children will retain 50% of Pupil Premium Plus Grant from April 2019, be noted.**

- (2) That the Virtual School's annual report to the Corporate Parenting Board, to be published in January, be shared with the Schools Forum.

***ACTION: Deputy Director – Education and Learning***

### **366. 2018/19 DSG SPENDING AND CARRY FORWARD BALANCES FORECAST**

The Business Advisor (Schools) presented a report, **Document JS**, which updated Members on the forecasted spending positions of each of the DSG Blocks in 2018/19. This document gave Members a view of the estimated values of balances to be carried forward into 2019/20 and a view of the uses of these balances.

The Business Advisor presented Appendix 1, which set out the estimated spending positions by main heading within each of the 4 DSG blocks. He explained the main reasons for the spending variances vs. the planned budget. He also emphasised that these spending forecasts were based on estimates calculated in November and as such, were subject to movement. The final position of balances will be presented to the Forum in July 2019. Forum Members did not ask any questions and did not have any further comments on Appendix 1.

The Business Advisor presented Appendix 2, which proposed an approach to the allocation / retention of the balances forecasted to be carried forward in 2019/20. In particular, the Business Advisor explained, as set out in the report, why it is proposed to retain the majority of monies forecasted to be brought forward within the Early Years Block and within the High Needs Block, rather than to allocate these to additional spending in 2019/20. The Business Advisor also highlighted that a large proportion of balances to be brought forward within the Schools Block are already committed by decisions previously taken by the Schools Forum or are ring-fenced for Growth Fund or for de-delegated funds.

A Member representing maintained Special Schools asked whether the financial support model for Beckfoot Upper Heaton Academy (the remaining £1.3m for the final 2 years) should be reviewed (or withdrawn) where the academy is now operating in surplus. The Business Advisor explained that a formal commitment has been given to the Trust, which is written into the Trust's Academy Finance Agreement, for the financial support model to be completed as agreed. This model was constructed on detailed budget modelling and adjusts annually for pupil numbers. As such, it is probably un-realistic to expect that this agreement can be reviewed or withdrawn. The Member stated that we should have better considered this at the time the agreement was given. The Chair asked whether it would be possible to discuss with the Trust the academy's financial position with a view to looking again at the final 2 years of support. The Deputy Director, Education and Learning, stated that the Authority will approach the Trust on this matter on the basis that the Schools Forum has asked for a review of the position of the final 2 years of financial support.

In concluding this agenda item, the Chair offered the Forum's support for retaining balances for the purposes of safeguarding the DSG's future financial position and for a stable use of balances, seeking to avoid 'boom and bust' approaches in the quick release and then withdrawal of monies within school and provider delegated allocations.

**Resolved –**

- (1) The Schools Forum requests that the Authority discusses with Beckfoot Academies Trust whether the financial support model for Beckfoot Upper Heaton Academy could be adjusted where the financial position of the Academy has improved to surplus.
- (2) That sufficient information has been provided to enable the Schools Forum to make its final recommendations on 9 January 2019 on the allocation and / or retention of forecasted DSG balances.

***ACTION: Business Advisor Schools***

**367. 2019/20 DSG UPDATE**

The Business Advisor (Schools) presented a report, **Document JT**, which provided a summary-level indicative forecast of the DSG income / expenditure position for the 2019/20 financial year.

The Business Advisor took Members through the forecast by block. He focused his presentation on the bullet points set out on pages 30 and 31 of the report pack. He emphasised the position of the High Needs Block and how the estimated £3m budget gap is proposed to be met, including the transfer of £2m from the Schools Block that has been consulted on. He also emphasised that the allocation of the 2019/20 planned high needs budget is expected to move between budget headings as the Authority's places plan, and other SEND and AP reviews, develop.

Referring to the expected growth in cost of OLA / independent placements, the Chair asked whether this growth could be vired to fund Bradford-located places. The Deputy Director, Education and Learning, stated that it is un-realistic to expect to reduce OLA / independent placement cost through returning pupils already placed. However, our strategy will focus on securing a larger number of Bradford-located places that will appropriately meet the needs of more pupils at a lower per-capita rate - 'cost-avoidance' going forward. The Member representing maintained special schools added that our financial strategy needs to ensure that we can meet the needs of pupils in the most effective way possible in the most appropriate provision.

**Resolved – That the Schools Forum notes the indicative 2019/20 DSG income / expenditure position.**

**368. CONSULTATION OUTCOMES - PRIMARY AND SECONDARY FORMULAE**

The Business Advisor (Schools) presented a report, **Document JU**, which asked Members to consider the outcomes of the consultation on Schools Block formula funding and Schools Block centrally managed funds. The Business Advisor summarised the proposals and referenced the responses analysis, which was presented to the meeting. He also summarised the feedback from the sub-group, which met on the 27 November to discuss place-planning, falling rolls and under-subscription.

The Business Advisor stated that, although there was a low response rate to the formal formula consultation, from presentations at a number of forums, there appears to be

general approval of the proposals, including an acceptance of the necessity for a transfer of monies from the Schools Block to the High Needs Block in 2019/20.

The bulk of the Forum's discussion responded to the feedback from the sub-group on falling rolls.

- An Academies Member asked the Business Advisor to clarify that the potential cost of a new Falling Rolls Fund for the primary phase in 2019/20, if this is established, will be met within the existing funds structure i.e. will not require further top-slice of delegated budgets. The Business Advisor confirmed that this is the case – that the cost of a new Falling Rolls Fund of £0.25m is planned to be funded from the release of funds from the reduction in the value of the Growth Fund. He also confirmed that the Authority is minded to propose that, where the Forum agrees to support eligible maintained primary schools, that this would be done using existing de-delegated funds and / or brought forward balances within these funds and / or will be asked to make provision retrospectively through de-delegation in 2020/21 rather than via new provision now.
- The Chair stated that a clear theme from the sub-group meeting was for the Authority to take appropriate action, outside of the DSG, to adjust PANs and to control the expansion of schools. A Maintained Primary School Headteacher Member added that the whole-school impact of adjustments to PANs as a solution needs to be carefully considered and managed.
- A Maintained Primary School Governor Member stated that the use of spare school building space for SEND provision is also now part of a potential solution and that place-planning and SEND planning are more closely working together on this.
- The Deputy Director, Education and Learning stated that the Authority must act to resolve the current system issues as quickly as possible. This includes taking an approach to expansion that is more measurable and sustainable. We must also learn from past mistakes so that we manage more effectively the profile of demographic change as this moves from the primary into the secondary phase.
- An Academies Member added that the needs of local communities must continue to be included in the Authority's planning.

#### **Resolved –**

- (1) That the analysis of the consultation responses be noted.**
- (2) That sufficient information has been provided to enable the Schools Forum to make its final recommendations on 9 January 2019 on the Schools Block formulae and the criteria for the allocation of Schools Block funds for 2019/20.**

### **369. CONSULTATION OUTCOMES - EARLY YEARS SINGLE FUNDING FORMULA 2019/20**

The Business Advisor (Schools) presented a report, **Document JV**, which asked Members to consider the outcomes of the consultation on the 2019/20 Early Years Single Funding Formula.

The Business Advisor summarised the proposals and referenced the responses analysis, which was presented to the meeting. He highlighted the low response rate. He stated that the responses that have been received do not suggest that there is objection to the EYSFF structure and approach that has been proposed, including the introduction of the holistic Early Years SEND Inclusion Fund. The focus of the criticism within some responses is the insufficiency of the rates of funding, as these have not increased in line with salaries costs. He reminded Members of the impact of the DfE's national early years funding reform (which has reduced Bradford's 3&4 year old Early Years Block funding by 10%) and of the current strategy to use one off monies to uplift the value of the 3&4 year old universal base rate in the short term to help protect against the full impact of this reduction. The Business Advisor also reminded the Forum of the intended holistic review of Bradford's EYSFF for 2020/21 and of the significant uncertainty around national early years funding going forward.

Forum Members did not ask any questions and did not make any further comments.

#### **Resolved –**

- (1) That the analysis of the consultation responses be noted.**
- (2) That sufficient information has been provided to enable the Schools Forum to make its final recommendations on 9 January 2019 on the Early Years Block formulae for 2019/20.**

### **370. CONSULTATION OUTCOMES - FUNDING HIGH NEEDS 2019/20**

The Business Advisor (Schools) presented a report, **Document JW**, which asked Forum Members to consider the outcomes of the consultation on the 2019/20 High Needs Funding Model and the planned number of high needs places to be commissioned. Document JW also gave an update on the position of other strategic high needs funding matters.

The Business Advisor summarised the proposals and referenced the responses analysis, which was presented to the meeting. He emphasised that the gist of the consultation was for general continuity in formula funding mechanisms in 2019/20, pending much greater review and change expected from April 2020.

The Chair asked for clarification that the outline plan for further places development during 2019, which is to be presented to the Forum on 9 January, is not yet shown within the figures in Document JW. The Business Advisor confirmed that this is correct – that the outline plan will add to these places figures.

The Chair also asked for an update on the position of the re-designation of identified PRUs to special school provision (which is intended to draw down more High Needs Block funding from 2020/21). The Deputy Director, Education and Learning, explained that this is

not a simple nor quick process but that the Authority is currently in discussions about these provisions and is seeking to move forward as quickly as we reasonably can. The Member representing maintained PRUs stated that he welcomes the strategic vision that the Deputy Director has brought to the position of the PRUs and to the resolution of these issues.

**Resolved –**

- (1) That the analysis of the consultation responses be noted.**
- (2) That sufficient information has been provided to enable the Schools Forum to make its final recommendations on 9 January 2019 on the High Needs Block funding formulae for 2019/20.**

**371. INDICATIVE BUDGETS 2019/20 PRIMARY & SECONDARY SCHOOLS AND ACADEMIES**

The Business Advisor (Schools) presented a report, **Document JX**, which provided Members with updated indicative modelling of Primary & Secondary delegated budget shares in 2019/20 using the pupil numbers taken from the October 2018 Census. This modelling was tabled only for information at this stage, prior to asking Members to make their final recommendations on 9 January 2019.

The Business Advisor highlighted that this modelling shows a) the expected changes in the numbers of funded pupils in each school and academy and b) the continued reliance of the primary phase on the Minimum Funding Guarantee.

Forum Members did not ask any questions and did not make any further comments.

**No resolution was passed on this item.**

**372. CENTRAL SCHOOLS SERVICES, EARLY YEARS & SCHOOLS BLOCK FUNDS**

The Business Advisor (Schools) presented a follow up report, **Document JY**, which asked Forum Members to further consider the position of the funding of Schools, Central Schools Services and Early Years Block central and de-delegated items in 2019/20, following the initial discussion had in the meeting of 17 October 2018. This report included the re-issue of the value for money analysis of Trade Union Facilities Time arrangements, which was initially considered by the Forum in March 2018.

The Business Advisor presented Appendix 1 and explained the positions of, and proposals for, each of the funds listed. The Business Advisor also highlighted that the Authority is currently closing down the accounts of 4 sponsored primary schools that have converted to academy during autumn 2018 where 3 of these are likely to hold deficit balances, which will be charged to the existing de-delegated fund. The Forum will receive a report on this in March 2019.

The Business Advisor explained that £0.25m of the forecasted surplus balance with the de-delegated maternity / paternity insurance scheme is proposed to be released in 2019/20 to reduce the cost for primary schools. The Authority proposes more generally however, to take a cautious approach to the management of the forecasted brought

forward balances within de-delegated funds, recognising the pressure that might come from the deficit balances of primary sponsored conversions, that the Forum's discussions on the possible use of de-delegated funds for supporting falling rolls / under-subscription have not yet been completed and that the Authority would wish to avoid 'boom and bust' budgeting, where costs related to de-delegated funds swing up and down significantly year on year. Members did not ask any questions and did not make any further comments.

Referencing the re-issue of the value for money analysis of Trade Union Facilities Time arrangements, the Business Advisor summarised the key aspects of the comparison of our spending with that in other local authorities and stated that currently around 50% of academies have bought into the Authority's arrangements in this year. The Chair asked Members whether they were satisfied that they have sufficient information on this matter. Forum Members confirmed that they were. The Member representing the Teacher Trades Unions, having declared his interest, added that the level of buy in from academies once complete for this year is expected to be in the region of 75% - higher than has been in previous years. As a result, it may be possible for the per pupil cost to be reduced further going forward.

#### **Resolved –**

- (1) That the information provided in Document JY be noted.**
- (2) That sufficient information has been provided to enable the Schools Forum to make its final recommendations on 9 January 2019 on the funding of centrally managed and de-delegated Early Years, Schools and Central School Services Block items in 2019/20.**

#### **373. SCHOOLS FORUM STANDING ITEMS**

The Business Advisor confirmed for the Schools Forum that 3 primary schools converted to academy status on 1 November 2018. This means that there are 109 maintained schools. A possible further 15 to 20 conversions may take place over the next 12 months.

No further updates on standing items were given.

**Resolved – That the update on standing items be noted.**

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

**No resolution was passed on this item.**

#### **375. DATE OF NEXT MEETING**

Please see the published schedule of meetings –

- The next Forum meeting is scheduled for Wednesday 9 January 2019.
- *A provisional meeting is scheduled for Wednesday 16 January 2019 (if this is needed to complete 2019/20 DSG recommendations).*

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