

Note: This is a briefing note, which has been written following the Schools Forum meeting that was held on 8 December 2021. This meeting went ahead, within the agreement of the attending members as an informal ‘briefing’ only, because the meeting was not quorate. No resolutions were made and no decisions taken. The minutes of the meeting held 13 October 2021 are moved forward to the next meeting to be held on 12 January for review / approval.

Briefing Note on the Informal Schools Forum meeting held on Wednesday 8 December 2021

Commenced 0805, Adjourned 0925
Reconvened 0935, Concluded 1100

RECORD OF MEETING ATTENDEES, APOLOGIES AND ABSENCES

Schools & Academies Members

IN ATTENDANCE

| Member | Membership Group |
|----------------------------------|--|
| Dianne Richardson (Chair) | Maintained Primary Schools - Headteacher |
| Sara Rawnsley | Maintained Primary Schools - Headteacher |
| Kathryn Swales | Maintained Primary Schools - Headteacher |
| Emma Hamer | Maintained Primary Schools – Governor |
| Bev George | Maintained Nursery Schools – Governor |
| Dominic Wall | Academies Member – Special School Academies |
| Richard Bottomley | Academies Member – Alternative Provision Academies |
| Wahid Zaman | Academies Member |
| Michael Thorp | Academies Member |
| Helen Williams | Academies Member |
| Brent Fitzpatrick OBE | Academies Member |
| Ashley Reed | Academies Member |

APOLOGIES RECEIVED

| Member | Membership Group |
|-------------------------|--|
| Kirsty Ratcliffe | Pupil Referral Unit (maintained) |
| Lyndsey Brown | Maintained Special Schools - Headteacher |
| Ian Morrel (Vice Chair) | Maintained Secondary Schools – Headteacher |
| Graham Swinbourne | Maintained Primary Schools - Headteacher |
| Bryan Harrison | Maintained Primary Schools - Headteacher |
| Nicky Kilvington | Maintained Primary Schools - Headteacher |
| Sian Hudson | Maintained Nursery Schools – Headteacher |
| Carol Dewhirst OBE | Academies Member |
| Sir Nick Weller | Academies Member |
| Heather Lacey | Academies Member |
| Tehmina Hashmi | Academies Member |
| Victoria Birch | Academies Member |

NOT IN ATTENDANCE (WITHOUT APOLOGIES RECEIVED)

| Member | Membership Group |
|-----------------|-------------------------|
| Andrew Morley | Academies Member |
| Deborah Howarth | Academies Member |
| Mathew Atkinson | Academies Member |

Non-Schools Members

IN ATTENDANCE

| Member | Membership Group |
|---------------|-------------------------|
| | |

APOLOGIES RECEIVED

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

NOT IN ATTENDANCE (WITHOUT APOLOGIES RECEIVED)

| Member | Membership Group |
|------------------------|---|
| Donna Willoughby | Non-Teaching Unions |
| Gillian Simpson-Morris | Representative of Early Years PVI Members |
| 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 |
|--------------------------|-------------------------|
| | |

Local Authority Officers present at the meeting

| Officer | Position |
|-----------------|---|
| Sarah Flockton | Sufficiency Officer |
| Rachel Phillips | Strategic Manager, Pupil Admissions |
| Niall Devlin | Assistant Director, SEND and Inclusion |
| Marium Haque | Strategic Director, Children's Services |
| Dawn Haigh | Principal Finance Officer (Schools) |
| Jonty Holden | Principal Finance Officer (Schools) |
| Asad Shah | Committee Secretariat |
| Andrew Redding | Business Advisor (Schools) |
| Raj Singh | Business Advisor (Children's Services) |

40% of the School Forum's membership (filled membership positions) must be present for a meeting to be quorate. This meeting was not quorate, as only 38% of members were present (12 out of 32 currently filled membership positions).

1. Minutes of the 13 October Schools Forum Meeting and Matters Arising

The minutes of the meeting 13 October 2021 have been moved forward for review / approval at the next meeting to be held on 12 January. The following was reported for information:

- **Item 589 (Schools Block consultation)** – The consultation document was published and the consultation period closed on 30 November. The feedback received from the consultation is picked up agenda item 7. Within the reports pack, we have provided a summary of the numbers that would have been funded by the Reception Uplift factor for the last 3 years, as requested at the last meeting.
- **Item 590 (High Needs Block consultation)** – The consultation document was published and the consultation period closed on 30 November. The feedback received from the consultation is picked up agenda item 9. For information, the DfE has now stated that the outcomes of the national SEND and AP reviews, the publication of which will include consultation on system and funding changes possibly for April 2023, will now be announced in the first quarter of next year. We might expect this to be an agenda item for the Schools Forum either in March or in May.
- **Item 591 (Early Years Block funding matters)** – The Early Years Block settlement has now been announced and this is picked up agenda item 6.
- **Item 592 (Central DSG items)** – This is picked up again under agenda item 13.

The Business Advisor (Schools) reported that, given current circumstances and low attendance at today's meeting, it is intended that the January, March and May meetings of the Schools Forum will be run remotely, rather than being held as 'meetings in attendance'. This approach was supported by the Forum members present at the meeting.

2. Standing Item – DSG Schools Block Growth Fund Allocations

The Principal Finance Officer (Schools) presented **Document NO**, which set out the allocations that are proposed from the 2021/22 Schools Block Growth Fund. As the Forum was not quorate, the Forum was not asked to take a decision to approve these allocations. The report, amended for the confirmation of the two allocations that are highlighted as estimated, will be re-presented to the Schools Forum meeting 12 January for approval.

3. Early Years Block Settlement & EYSFF Consultation 2022/23

The Business Advisor (Schools) presented **Document NP**, which set out the Early Years Block settlement and the Local Authority's proposals for our Early Years Single Funding Formula for 2022/23.

The Forum members present did not ask any questions on this report and gave their approval for the consultation document to be published. The Business Advisor confirmed that the consultation document will be published later that day.

4. Consultation Outcomes – Schools Block Formula Funding 2022/23 and

5. Indicative Budgets 2022/23 Primary & Secondary Schools and Academies

The Principal Finance Officer (Schools) presented **Document NQ**, which asked members to consider the feedback received to the consultation on our 2022/23 Schools Block formula funding arrangements and Schools Block centrally managed funds.

The Principal Finance Officer (Schools) also presented **Document NR**, which provided updated summary level impact modelling of the Schools Block formula proposals for individual schools and academies.

In response to these reports,

- A member representing maintained primary school headteachers proposed that, for consultations in future years, a more co-ordinated approach is taken by primary maintained schools members to contact schools about the proposals and to collect feedback (e.g. each member is given a group of maintained primary schools to contact). Forum members agreed that this would be a positive action.
- An academies member asked for clarification that, if there is an issue with the affordability of our formula funding proposals ('Decisions 6'), whether the Forum will be presented on 12 January with a set of options, or whether the Forum will simply be presented with a single suggested way forward. The Business Advisor responded that what will be presented (in terms of whether a single option or multiple options are presented) will depend on the 'scale of the problem' that might follow the use of the October 2021 dataset, but that the Forum should be re-assured that modelling will be presented so that the Forum can clearly consider the impact and the options.

6. Consultation Outcomes – High Needs Block Formula Funding 2022/23

The Principal Finance Officer (Schools) presented **Document NS**, which asked members to consider the feedback received to the consultation on our 2022/23 High Needs Block formula funding arrangements.

In response to this report, referring to the feedback provided by the District Achievement Partnership (DAP) at the meeting attended by School Funding Team, the academies member representing special school academies stated that the feedback that the DAP would wish to provide to the Local Authority is focused on the position of the High Needs Block (the value of the surplus balance that is forecasted to be held) rather than expressing any dissatisfaction with the high needs formula funding approach that is proposed for 2022/23.

7. 2022/23 DSG Update

The Business Advisor (Schools) presented **Document NU**, which provided a summary-level indicative forecast of the Dedicated Schools Grant (DSG) income / expenditure position for the 2022/23 financial year.

The Business Advisor explained, in particular, the rows highlighted in yellow in Appendix 1, which indicate the currently estimated values of brought forward balances to be allocated in support of the 2022/23 planned schools budget. Within the Schools Block, this position is shown prior to the use of the October 2021 dataset. Within the Early Years Block, on current estimates, a value of £0.825m of balance will need to be earmarked in order to secure our proposed Early Years Single Funding Formula arrangements for 2022/23.

The Business Advisor explained that a more detailed and more confirmed summary of the 2022/23 DSG planned budget will be presented on 12 January.

The Forum members present at the meeting did not ask any questions in relation to this report.

8. 2021/22 DSG Spending and Carry Forward Balances Forecast

The Business Advisor (Schools) presented **Document NV**, which updated members on the forecasted spending positions of each of the DSG Blocks against the 2021/22 planned budget. This document gave members a view of the estimated values of balances to be carried forward into 2022/23 and a view of the uses of these balances.

The focal point for the Forum's discussion in response to this report was the £21m of balance that is forecasted to be held within the High Needs Block at the end of the 2021/22 financial year.

The Chair responded that holding such a large balance feels 'uncomfortable' and requires close consideration. The member representing academy special schools made a number of observations, including on behalf of the District Achievement Partnership, which framed the Forum's initial discussion and which were added to by other members:

- The £21m balance that is forecasted to be held within the High Needs Block should be used in part to address the acute pressure that is currently faced by mainstream provisions.
- We need to consider how our current spending position would impact on our funding, was the DfE to 're-baseline' the High Needs Block, as it did in 2017.
- The Authority should ensure that the £1m budget provision that is held for the embedding of the EHCP Banded Model is spent next year.
- There is still a pressing need to strategically address the role and responsibilities of Health in funding continuing care in schools. The member referred in particular to the CCG's recent reductions in the funding of health workers. Alongside the resolution of the wider strategic issues, which the Forum has discussed in previous meetings, how the £21m balance could be used to support health worker provision should now be considered.
- Although the cash spend on out of authority, non-maintained and independent placements has significantly increased in 2021/22, the % of pupils has remained at 7%. This would suggest a significant increase in cost per placement? In response, it was clarified that, although the 7% has remained static, due to pupil population growth, the number of placements has increased (379 October 2021 vs 323 October 2020) and this has been a driver of additional cost.

The Assistant Director, SEND and Inclusion, responded to provide further context to the current spending position. He stressed how essential it is that Authority manages the High

Needs Block, and the growth in spending commitments that are being established, so as not to stack up affordability problems for the future that may require the Authority to reduce spending. He added that the Authority is very serious about ensuring the sufficiency of specialist places and about meeting the needs of children and young people appropriately through EHCPs and through placements that are appropriate to need. The Authority's has significantly improved the speed of assessment for EHCPs. Alongside the growth in the numbers of assessment, this means that the gap in Bradford's EHCP statistics, to national averages, has significantly narrowed. We expect to reach the national average during 2021/22 and then to exceed this going forward.

Forum members made the following additional main comments within the discussion:

- The Chair stated that SEMH provision is still a significant concern (referring to mainstream behaviour support provision). The Strategic Director, Children's Services responded that this is an issue around CAHMs (it is the 'MH' in the 'SEMH' that requires further review and support) and the solutions here are more than financial.
- The Chair expressed a view that the Authority must continue to develop Local Authority-led resourced provision, as this model has been well received. The Assistant Director responded to agree with this view. The Chair asked whether anything can be done to accelerate the creation of new places. The Strategic Manager, Intelligence and Sufficiency, explained that amendment to provision requires consultation, which is governed by set timescales. The Strategic Manager added that the SEND Sufficiency Statement (next agenda item) will enable further discussion on the position and issues around places creation.
- Linking with this part of the discussion about resourced provisions, an academies member expressed concern that children and young people that should be in special schools are currently being placed in resourced provisions, due to a lack of special school places. It is essential that additional special school places are created as a matter of some urgency.
- An academies member asked whether the Authority has considered the longer term financial implications of the Authority's High Needs Block spending and whether the £21m balance is going to be needed to support expenditure on an on-going basis. The Business Advisor responded that the Authority does closely consider the financial position of the High Needs Block over more than one year. There are a number of factors and future uncertainties, which will need to be managed. The £21m will only be available to spend once. Our High Needs Block planned budget is established on the basis that our full High Needs Block annual allocation will be spent, and we expect the 'headroom' within this position (i.e. the extent to which the planned budget then under-spends in year to create a balance at the end of the year) to reduce as the number of EHCPs continues to grow and as we continue to increase spending commitments through the creation of places. So, although we cannot use the £21m to support on-going spending on a longer-term basis, it is likely that a proportion of the £21m of balance will be needed over the medium term to secure our High Needs Block spending strategy going-forward, especially in managing change and uncertainty. We need to retain a proportion of balance to ensure financial resilience.

9. Annual SEND Places Sufficiency Statement

The Strategic Manager, Intelligence and Sufficiency, presented **Document NW**, which is the annual statement to the Schools Forum on the sufficiency of specialist places for SEND. A main headline of this sufficiency statement is that the Authority's data indicates

that 100-120 additional specialist places are required to be created in each of the next 2 academic years, with the key pressure points being:

- Additional resourced provision places for primary and secondary aged children and young people with a primary need of Communication and Interaction including Autistic Spectrum Disorders (ASD) and Social, Emotional and Mental Health (SEMH).
- Additional special school places for primary and secondary aged children and young people with a primary need of Communication and Interaction including Autistic Spectrum Disorders (ASD), Severe Learning Difficulties (SLD) and Social, Emotional and Mental Health (SEMH).

The Forum's discussion on this statement followed from the discussion on the High Needs Block spending and balances position, that was presented under the preceding agenda item. Linking with this also, recognising that the availability of capital funding is critical to the creation of additional specialist places, the Strategic Manager asked the Forum whether members would support further considering the allocation of a proportion of the £21m surplus balance held within the High Needs Block for capital funding. This would involve approaching the Secretary of State for permission. With the Business Advisor's input, it was explained that the Authority is only 'testing the waters' with the Forum at this stage and that any such use of revenue balance for capital, and approach to the Secretary of State, would need to be very carefully considered.

Forum members that were present at the meeting asked a number of questions, and made a number of comments, in response to the spending and sufficiency reports and also in response to the Authority's 'testing the waters' for the use of a proportion of the DSG High Needs Block balance for capital. In summary:

- A significant current pressure point for mainstream schools is the availability of special school places. Whilst resourced provision places also need to be expanded, there is an urgent need for special school places.
- The member representing alternative provision academies stated that it is difficult currently for pupils placed in alternative provision at key stage 4 to 'move on'. This is also related to the necessity to increase the number of specialist places.
- Forum members would welcome the opportunity to discuss capital funding, and the urgency of the need to create additional specialist places, with the Education Portfolio Holder.
- Forum members repeated their disappointment, expressed in meetings at the time, that the Authority was not successful in securing new free school special school provision. The Strategic Director, Children's Services, discussed with members the circumstances around this and emphasised that the Authority will always bid for free school provision. It was emphasised that a bid for a free school now will not deliver the 200-240 places that the Authority needs across 2022-2024.
- Understanding the length of time that it takes to establish new provision, Forum members would welcome the presentation of a more detailed plan on how the 200-240 additional places will be delivered across the next 2 academic years. It was indicated that this plan could begin to be presented to the Forum in March. The Authority anticipates that we may know by March how much of the £2.6bn Spending Review SEND capital fund Bradford will receive and also the status of further free school programmes. The Strategic Manager again emphasised how critical the availability of capital funding will be to the creation of these 200-240 places.

- The Chair asked whether schools and academies are still approaching the Authority with interest to create new provisions. The Strategic Manager confirmed that this is still very much the case, although the Authority does need to have targeted conversations with schools that may not have expressed interest, in order to ensure the right locations for provisions.
- The Chair asked how quickly the currently unoccupied places in resourced provisions will be filled and whether parental preference is an issue behind lower occupancy. The Assistant Director, SEND and Inclusion, responded that parental preference was not a significant issue.
- The complexity of the needs of pupils in special schools and special school academies has grown significantly and this is likely to require adaptation of previously built 'generic' special schools.
- If the DfE's method of allocation of the £2.6bn national Spending Review capital is inadequate for Bradford's needs, the Schools Forum and the Authority must take action (must make representation) to address this.

10. Central Schools Services, Early Years & Schools Block Funds

The Business Advisor (Schools) presented **Document NX**, which asked Forum Members to further consider the Authority's proposals for retention of Schools, Central Schools Services and Early Years Block central and de-delegated items in the 2022/23 financial year.

The Business Advisor explained that, in addition to the continuation of existing funds, the Schools Forum is asked to consider additional budget allocations in 2022/23, funded from available DSG headroom, as set out in Appendix 4, which in summary are:

- Central Schools Services Block - an additional £150,000 for Pupil Admissions.
- Central Schools Services Block - an additional £140,000 for education planning.
- Early Years Block - £100,000 for capacity for the Authority's early years functions and for the management of the Early Years Single Funding Formula.

The Business Advisor also then reported that, in addition to the continuation of existing de-delegated funds for maintained primary and secondary schools, Document NX explains the DfE's intended action (a consultation was published on 29 October and closed on 26 November), to reduce, by 50% in 2022/23, and then cease at April 2023 the School Improvement Monitoring and Brokering Grant (SIMB) that is currently received by the Authority in support of maintained schools. Within the consultation, the DfE has put forward the view that local authorities should use de-delegation from maintained schools to replace the SIMB monies that are being reduced in 2022/23 and then removed from April 2023. This will represent a new de-delegated item from April 2022, which the Authority now must ask the Schools Forum to consider as part of the 2022/23 DSG budget setting round.

In response to the report, an academies member asked, if the maintained schools representatives on the Schools Forum do not approve new de-delegation for replacing the SIMB grant, whether the Authority would apply anyway to the Secretary of State (meaning that the Forum's decision making here is 'moot'). The Business Advisor responded that the Authority will always wish to agree a way forward with the Schools Forum but, if the Forum was to not agree to any de-delegation for this purpose in 2022/23, then the Authority may

have to consider an approach to the Secretary of State in order to secure resources that are needed for the Authority's school improvement support for maintained schools.

The Forum members present at the meeting did not ask any further questions on report.

11. Next meeting

Please see the published schedule of meetings – the next Forum meeting is scheduled for Wednesday 12 January.

A provisional meeting is scheduled for Wednesday 19 January (if this is needed to complete 2022/23 DSG recommendations).