



**Note: These minutes are subject to approval as a correct record at the next meeting of the Schools Forum on 18 May 2022**

## Schools Forum meeting held remotely on Wednesday 9 March 2022

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

Commenced 08:05  
 Concluded 10:10

### RECORD OF MEETING ATTENDEES, APOLOGIES AND ABSENCES

#### Schools & Academies Members

##### IN ATTENDANCE

| Member                           | Membership Group                                   |
|----------------------------------|--|
| <b>Dianne Richardson (Chair)</b> | Maintained Primary Schools - Headteacher           |
| Ian Morrel (Vice Chair)          | Maintained Secondary Schools – Headteacher         |
| Ashley Reed                      | Academies Member                                   |
| Brent Fitzpatrick OBE            | Academies Member                                   |
| Mel Saville                      | Academies Member                                   |
| Michael Thorp                    | Academies Member                                   |
| Victoria Birch                   | Academies Member                                   |
| Carol Dewhirst OBE               | Academies Member                                   |
| Helen Williams                   | Academies Member                                   |
| Richard Bottomley                | Academies Member – Alternative Provision Academies |
| Dominic Wall                     | Academies Member – Special School Academies        |
| Bev George                       | Maintained Nursery Schools – Governor              |
| Sian Hudson                      | Maintained Nursery Schools – Headteacher           |
| Emma Hamer                       | Maintained Primary Schools – Governor              |
| Kathryn Swales                   | Maintained Primary Schools - Headteacher           |
| Sara Rawnsley                    | Maintained Primary Schools - Headteacher           |
| Graham Swinbourne                | Maintained Primary Schools - Headteacher           |
| Lyndsey Brown                    | Maintained Special Schools - Headteacher           |

##### APOLOGIES RECEIVED

| Member      | Membership Group |
|-------------|------------------|
| Wahid Zaman | Academies Member |

##### NOT IN ATTENDANCE (WITHOUT APOLOGIES RECEIVED)

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

|                  |  |
|------------------|--|
| Kirsty Ratcliffe | Pupil Referral Unit (maintained)         |
| Heather Lacey    | Academies Member                         |
| Sir Nick Weller  | Academies Member                         |
| Nicky Kilvington | Maintained Primary Schools - Headteacher |
| Mathew Atkinson  | Academies Member                         |

### **Non-Schools Members**

#### IN ATTENDANCE

| <b>Member</b>  | <b>Membership Group</b>                  |
|----------------|--|
| Tom Bright     | Teaching Unions                          |
| David Johnston | Officer Representing Vulnerable Children |

#### APOLOGIES RECEIVED

| <b>Member</b>          | <b>Membership Group</b>                   |
|------------------------|---|
| Gillian Simpson-Morris | Representative of Early Years PVI Members |

#### NOT IN ATTENDANCE (WITHOUT APOLOGIES RECEIVED)

| <b>Member</b> | <b>Membership Group</b>        |
|---------------|--------------------------------|
| Junaid Karim  | Council for Mosques (Bradford) |

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

| <b>Substitute Member</b> | <b>Membership Group</b> |
|--------------------------|-------------------------|
|                          |                         |

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

| <b>Substitute Member</b> | <b>Membership Group</b> |
|--------------------------|-------------------------|
| Alison Kaye              | Academies Member        |

### **Local Authority Officers present at the meeting**

| <b>Officer</b> | <b>Position</b>                         |
|----------------|---|
| Andrew Redding | Business Advisor (Schools)              |
| Asad Shah      | Committee Secretariat                   |
| Dawn Haigh     | Principal Finance Officer (Schools)     |
| Jonty Holden   | Principal Finance Officer (Schools)     |
| Raj Singh      | Business Advisor                        |
| Marium Haque   | Deputy Director, Education and Learning |

**40% of the School Forum's membership (filled membership positions) must be present for a meeting to be quorate. This meeting was quorate, with 67% of members present (20 out of 30 currently filled membership positions).**

### **608. DISCLOSURES OF INTEREST**

Emma Hamer declared an interest for agenda item 8 (SEND Sufficiency).

## 609. MINUTES OF 12 JANUARY 2022 & MATTERS ARISING

The Business Advisor (Schools) reported on progress made on “Action” items from the 12 January meeting:

- **Item 599 (DSG Growth Fund Allocations):** The agreed allocations have been paid.
  - **Item 601 (Updated 2021/22 DSG Spending and Balances Forecast):** The resolution, to establish a working group of Forum members to discuss further the allocation / retention of the High Needs Block surplus balance, has been actioned. An email was sent to all members inviting members to attend. The first meeting of this group was held on 2 March. This was an initial introductory meeting. It was attended by 9 members (or their substitutes). Feedback from this initial meeting is presented verbally under agenda item 8. This group will meet again shortly. Depending on the timing of the announcement of critical information (the capital settlement and the national SEND review outcomes), we anticipate that a fuller report will be presented in May for the Forum’s consideration.
  - **Item 602 (Centrally Managed and De-Delegated Funds):** To confirm for the record, the decision was taken to de-delegated from the secondary-phase for the replacement of the SIMB grant. This means that de-delegation for this purpose is enacted from both the primary and secondary phases in 2022/23. Following the discussion on 12 January, under agenda item 8 we provide some more explanation of the Authority’s SIMB grant funded programme for the 2021/22 academic year.
  - **Item 605 (Final Decisions and Formal Recommendations 2022/23 DSG):** Further update on this is presented under agenda item 8. The Council on 17 February accepted the Forum’s recommendations on the 2022/23 DSG and formula funding arrangements, without amendment. Our Authority Pro-forma Tool (APT) return for 2022/23 has also now been accepted by the ESFA, again without amendment.
- a) The Business Advisor reported on other matters arising, as follows:
- **Business Rates (NNDR) payment system change:** We have previously informed the Forum that the DfE is changing the way school and academy business rates payments are made, from April 2022. We previously understood that this is a ‘directed’ change. In its most recent guidance however, the DfE has stated that the change is optional. Given that the guidance on the new process (and how to account for rates spending) is still a little unclear, that the new system is untested, and that we do not see how the new system will improve or make simpler the rates paying process in our circumstances (where there is only one billing authority), we will continue to use the existing process in 2022/23. For academies, this means that they will continue to pay a rates bill that is sent to them by Bradford Council, for the academy then to re-claim the cost from the ESFA. We will keep this position under review for future years.

**Resolved –**

- (1) That progress made on “Action” items and Matters Arising be noted.
- (2) That the minutes of the meeting held on 12 January 2022 be signed as a correct record.

#### **610. MATTERS RAISED BY SCHOOLS**

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

#### **611. STANDING ITEM - DSG GROWTH FUND ALLOCATIONS**

No new allocations for 2021/22 were presented and no resolutions were passed on this item.

#### **612. SCHOOLS BLOCK FALLING ROLLS FUND ALLOCATIONS 2021/22**

The Principal Finance Officer (Schools) presented, **Document OE**, which provided an update for the Schools Forum on the application, in the 2021/22 financial year, of the Schools Block Falling Rolls Fund for mainstream primary phase maintained schools and mainstream primary phase academies.

Forum members did not have any comments on this report and did not ask any questions.

##### **Resolved –**

**(1) The Schools Forum notes that, as set out in Document OE, and following the agreed established criteria, there are no allocations to be made from the Schools Block Falling Rolls Fund in 2021/22.**

**(2) The Forum notes that the sum of £500,000 is confirmed as unspent within the Schools Block and is carried forward into 2022/23 as a ring-fenced sum.**

**LEAD:** *Principal Finance Officer, Schools*

#### **613. SEND – 2020/21 EXCLUSIONS REPORT**

Referring to **Document OF**, the Chair explained that the Assistant Director, SEND and Inclusion, is not available to present this report, as planned, due to commitments relating to the current Ofsted SEND Local Area Inspection. Therefore, comments and questions that members raise will be recorded and will be responded to at the next meeting. The Chair explained that the exclusions report is one of the items of information, agreed in October 2020, that would be presented annually to the Forum.

Members asked the following questions and made the following comments on the

report:

- The Vice Chair asked for further explanation of how the adjustment the Authority makes to formula funding for pupils permanently excluded is calculated. He explained that this is important to understand so that the BACs are clear about how this adjustment fits in with the penalty mechanism that the BACs employ. The Business Advisor responded to explain the calculation.
- The Chair welcomed the report. She stated that the report indicates that the numbers of permanent exclusions recently are lower than the number of places that are currently commissioned within the High Needs Block. She asked whether the balance of places could be used for 'prevention places' (support prior to, and seeking to avoid, exclusion). The member representing Alternative Provision Academies responded to advise that Bradford Alternative Provision Academy (BAPA) currently offers up to 7 prevention places, subject to BAPA having the spare capacity to do so. The Business Advisor (Schools) clarified that these 7 places are not within the 65 places that the High Needs Block commissions from BAPA, and that schools / academies that use these places pay for these from their delegated budgets.
- Responding to this, a member representing Maintained Primary Schools stated that they would like the Authority to inform the Forum and schools more formally what the position is regarding prevention places (what is available and how is this accessed). The member stated that she was not aware that prevention places could be accessed from BAPA. The Chair added that this is part of the continuing discussions (in the behaviour working group) regarding the continuum of behaviour support provision and the communication of this.
- Also responding to this discussion, the Vice Chair stated that there is a sufficiency of places discussion that needs re-visiting. Prevention places typically are expensive. This discussion therefore, links with what the working group is currently discussing regard the High Needs Block surplus balance. Alternative provision must be looked at within a strategic plan. Agreeing with these comments, the Chair added that there are other overlapping discussions here, including discussions relating to Tracks-style (mental health and anxiety support) provision.

**Resolved – That the information presented in Document OF be noted.**

**LEAD:**            *Assistant Director, SEND and Inclusion*

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

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

Relating to the shorter updates, the Vice Chair thanked the Business Advisor (Schools) for the additional information provided on the 2021/22 academic year School Improvement Monitoring and Brokering programme (SIMB). Recognising that the report states that impact evaluation will be presented in a subsequent report, the Vice Chair clarified that the request is for an evaluation of impact of

historic Authority SIMB activities (rather than focusing on the current academic year programme). The Business Advisor acknowledged this clarification and stated that this request will be responded to.

The main focus of this agenda item was then the High Needs Block surplus balance and SEND places sufficiency.

The Business Advisor provided an update, verbally, on the first meeting of the Forum's working group, which has been convened to consider the High Needs Block surplus balance. He stated that an introductory report was written for this meeting, which sought to provide context and reference points, explaining the key activities and decisions over the 2018-2022 period, as well as setting out principles and restrictions and the main points that must be considered in finding the appropriate 'balance', between the retention and allocation of the forecasted surplus. The Business Advisor explained that the report also sets out the key pieces of information that are still to be made available that are critical to our decision making (these being - Ofsted SEND local area inspection outcomes; SEND and Alternative Provision national review outcomes; SEND £2.6bn capital distribution). He suggested that it will be helpful for all Forum members to have sight of this report and it was agreed that this report will be circulated.

The Business Advisor explained that Forum members that were present at 2 March working group meeting gave some initial feedback and also that feedback has been provided since the meeting. The group has asked the Authority for an evaluation of the impact of our 2018-22 High Needs Block re-shaping activities (which are listed in the report, and include the creation of new places, the restructuring of support services and exiting from the High Needs Block's support funding for school-commissioned behaviour support provision). The group agreed that impact evaluation will provide important reference to inform potential decisions about the targeted allocation of a proportion of the surplus balance. The group initially identified some specific areas for consideration, including increasing EHCP assessment capacity (noting however, that the DSG cannot be used for SEND assessment costs), mental health support, supported internships in post 16 and funding, where the EHCP Banded Model (top up funding) may not fully support the costs incurred by schools in all circumstances.

The Business Advisor stated that the working group will meet again shortly and, subject to the critical further information being available, it is anticipated that a fuller report will be presented for the Forum's consideration at the next meeting. A member representing maintained primary schools stated that the Authority must conclude the allocation of the surplus balance quickly, in order to support current pupils in existing provisions.

The Strategic Manager, Intelligence and Sufficiency then presented an update of the SEND Places Sufficiency Statement. An additional report was tabled at the meeting. The Strategic Manager presented the report by section. The report provided further information about the Authority's activities for the creation of 200-240 additional SEND places over the next 2 academic years, and outlined for members the current significant difficulties that are affecting places creation.

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

- Does the report indicate that we have £1.3m of SEND capital available but that there are barriers, which prevent our spending of this? The Strategic Manager responded to explain that there are a number of constraints, not just the insufficiency of capital funds, and that these are outlined in the report.
- Whether the 200-240 places figure remains sufficient (whether it is 'future proofed' and / or whether the number of places that are actually needed is regularly re-calculated, based on updated data). The Strategic Manager responded that the 200-240 places figure was calculated at the time the SEND Sufficiency Statement was presented to the Forum in December. The Authority regularly reviews the data and regularly reviews the forecasted requirement for places from this.
- The member representing Special School Academies asked for clarification regarding a possible discrepancy between the data appendices provided in the previous and updated statements. The Strategic Manager explained that an incorrect figure was included in the previous statement, which the updated statement now corrects.
- This member also stated that, although there has been significant places expansion, we currently are not 'running fast enough' to keep up with demand. We are not engaged in any major capital schemes. He reported that the District Achievement Partnership (DAP) is significantly concerned about the insufficiency of special school places, and the knock on consequences of this across high needs provision in the District. The DAP has written to the Chief Executive and to the Strategic Director, Children's Services, expressing this concern. The Authority must urgently develop a major capital programme. Responding to this, the Strategic Director, Children's Services, stated again her thanks to schools, academies and to other providers for actively engaging with the Authority in places creation. She explained that the Authority will need to continue to respond to pressure on the sufficiency of places, and that this is a national issue. Bradford Local Authority has created a larger number of places in recent years, than the national picture, and our number of EHCPs has also risen faster than the national picture. We will continue to see increases, but increases are likely to be closer to national trends going forward. Capital funding is critical to continued places creation. The Authority has so far been creative in the use of available capital funding and buildings space, but it is increasingly difficult to create new places. The difficulties of places creation, and insufficiency of capital funding, are being communicated to government by local authorities and the Strategic Director is pushing Bradford's requirements and position within this.
- Although appreciating that this is a national problem, the Vice Chair emphasised that Bradford's problem regarding the sufficiency of special school places is severe.

In summarising the Forum's discussion, the Chair asked that elected members (and specifically the portfolio holder) be made aware of the Forum's concerns and that they be asked attend to this urgent issue (of the sufficiency of special school places).

**Resolved – That the information presented in Document OG be noted.**

**LEAD:           *Business Advisor, Schools***

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

The Business Advisor (Schools) presented **Document OH**, 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 2022-2025 3-year period.

In response, a member asked about energy cost increases in 2022/23. The Business Advisor responded that the impact on schools and academies would depend on their individual contracts, but that information on the Council's energy contract (which is used by a number of maintained schools) is available on Bradford Schools Online.

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

**Resolved – That the information presented in Document OH be noted.**

## **615. SCHOOLS FORUM STANDING ITEMS**

No further information was presented and no resolutions were passed on this item.

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

The Chair notified the Forum that Bryan Harrison has resigned his membership. Sara Rawnsley informed the Forum meeting that she is retiring her membership at Easter. On behalf of the Schools Forum, the Chair thanked Bryan and Sara for their contributions to the work of the Forum.

The Vice Chair reminded the Forum that we need to further consider succession planning (as the Chair is retiring after the July meeting).

## **617. DATE OF NEXT MEETING**

The next Schools Forum meeting is planned for Wednesday 18 May 2022.

The meeting in July is scheduled for Wednesday 6 July.

The provisional dates of meetings for the 2022/23 academic year are as follows:

- Wednesday 14 September 2022, 8am
- Wednesday 12 October 2022, 8am
- Wednesday 7 December 2022, 8am
- Wednesday 11 January 2023, 8am
- *Wednesday 18 January 2023, 8am PROVISIONAL MEETING*
- Wednesday 8 March 2023, 8am
- Wednesday 17 May 2023, 8am

- Wednesday 5 July 2023, 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

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