

Bristol Schools' Forum

Minutes of the meeting held on Wednesday 15th May 2019
at 17.00 hrs at City Hall

Present:

Karen Brown	Maintained Secondary Governor Rep, St Mary Redcliffe & Temple
Simon Holmes	Nursery Head Rep, St Phillips Marsh Nursery
Sarah Lovell	Academy Secondary Headteacher Rep, Bristol Metropolitan Academy
Garry Maher	Diocese of Clifton Rep
Kate Matheson	Maintained Primary Governor Rep, St Barnabas Primary
Aileen Morrison	Pupil Referral Unit Rep, St Matthias Park
Sam Packer	Non School Member, Private Voluntary Independent Early Years
Ruth Pickersgill	Nursery Governor Rep, Rosemary Nursery
Chris Pring	Maintained Primary Headteacher Rep, Cabot Primary
Carew Reynell	Academy Secondary Governor Rep, Henbury
Cedric Sanguignol	Maintained Primary Governor Rep, Bishop Road Primary
Christine Townsend	Maintained Primary Governor Rep, Whitehall Primary
Lorraine Wright	Academy Primary Head, Elm Lea Primary
David Yorath	Academy Secondary Governor Rep, Cotham School

In attendance from Bristol City Council:

Graham Booth	Finance Manager
Corrina Haskins	Clerk to Schools Forum
Sally Jaekle	Service Manager, Early Years
Cllr Anna Keen	Cabinet Member for Education and Skills
Denise Murray	Director of Finance
Alan Stubbersfield	Interim Director Education Learning & Skills Improvement
David Tully	Interim Finance Business Partner
Emilie Williams-Jones	SEND and Inclusion Manager
Travis Young	Corporate Finance

Observers:

Emma Cave
 Alderman Brian Price

	Action
1. Welcome and introductions	
The Chair welcomed everyone to the meeting.	
2. Forum standing business	
a. Apologies for absence Apologies for absence were received from Jamie Barry (Academy Primary Head Rep, Parson Street School), Marian Curran (Non School Member, 14 to 19 Citywide Partnership, St	

<p>Brendan’s College), Trish Dodds (Academy Primary Governor, Fishponds Academy), Simon Eakins (Academy Primary Head, Cathedral Primary), Peter Evans (Special Head, Knowle DGE), Rob Endley (Non School Member, NASUWT and NEU), Jez Piper (Non School Member Diocese of Bristol Board of Education) and Simon Shaw (Maintained Secondary Head, St Mary Redcliffe).</p> <p>b. Quorate (10) The Clerk confirmed the meeting was quorate.</p> <p>c. Resignations The Clerk confirmed the following resignations since the previous meeting: Ebrima Bojang (Primary Academy Governor, Summerhill Academy), Victoria Boomer (Secondary Academy Head, Oasis Academy John Williams) and Emma Cave (Special School Governor, Claremont School).</p> <p>d. Appointment of New Members The Clerk confirmed that there were no new appointments since the previous meeting.</p> <p>e. Notification of Vacancies The Clerk advised of the following Schools Forum Vacancies which would be advertised through the Heads/Governors Bulletins:</p> <ul style="list-style-type: none"> • Two Primary Maintained Heads; • Two Primary Academy Governors; • Two Secondary Academy Heads; • One Secondary Academy Governor; • One Special School Governor. <p>CR confirmed that he and the Vice-Chairs had preliminary discussions about the future membership of the Forum. He undertook to draft a paper for circulation to Members for their comments before the end of the academic year with a view to considering any changes to Membership and the Constitution at an early meeting of the next academic year.</p>	<p>CR</p>
<p>3. Minutes of the Meeting held on 2nd April 2019</p>	
<p>RESOLVED - that the minutes be confirmed as a correct record, subject to Rob Endley (Non School Member, NASUWT and NEU) being recorded as being present.</p> <p><u>Matters Arising</u></p> <p>1. Thanks to Billy Forsythe Following the comments raised at the previous meeting, CR undertook to write to Billy Forsythe and thank him for his work as Chair of the Schools Forum.</p> <p>2. Finance Sub Group Terms of Reference CR drew attention to the Finance Sub-Group Terms of Reference and invited any comments. In response to a comment the Sub-Group was well represented by Finance Specialists and would</p>	<p>CR</p> <p>CR</p>

<p>benefit from additional representation from Education Specialists, CR undertook to write to Primary School Heads to ask for volunteers or nominees. He confirmed that the first meeting was taking place on 10 June.</p>	
<p>RESOLVED – that the terms of reference of the Finance Sub-Group be agreed.</p>	
<p>3. Data – distributed Growth Fund CR confirmed that the data relating to out of area children being educated in Bristol schools had been circulated as requested at the previous meeting and in response to a request, it was agreed that this data would also be attached to the minutes.</p>	<p>CH</p>
<p>4. SEND 1-5 Year Olds In response to a question of clarification about what the figure “1092 number of 1-5 year olds” referred to during the debate about SEND, AS confirmed that there was a discrepancy relating to the difference in numbers of children with Special Education Needs and the number of those with Disabilities. He undertook to circulate the information with the minutes.</p>	<p>AS</p>
<p>5. Early Years Census It was noted that this issue had been resolved in a discussion between DT and SE after the meeting.</p>	
<p>6. Teachers Pay Award DT confirmed that the Local Authority had approached the EFSA to challenge the anomaly in relation to:</p> <ul style="list-style-type: none"> • Hospital Education; • the figures used by the DfE relating to place numbers in Bristol High Needs settings which had increased since the DfE count. <p>He reported that there was unlikely to be a satisfactory outcome in relation to Hospital Education, but the DfE would be amending figures to reflect updated census information. He also confirmed that the Local Authority would be consulting staff in special settings in relation to the second part of the pay award.</p>	
<p>7. School Health Nurse Roles In response to a question raised at the previous meeting about the role of School Health Nurses in special schools, AS undertook to share the core offer and frequently asked questions documents with Special Schools.</p>	<p>AS</p>
<p>4. Presentation on High Needs Block</p>	
<p>AS gave a presentation on High Needs Block Funding as follows:</p> <ul style="list-style-type: none"> • High Needs Funding supported provision for children and young people with SEND as well as supporting Alternative Provision and top-ups. • The 6 funding sections were: <ul style="list-style-type: none"> ○ High Needs Places; ○ Core funding allocated to maintained schools from the LA or to other providers 	

from ESFA;

- SEN Top-ups;

Education providers could apply for top up funding for a named individual;

- Alternative Provision Top-ups
- Other SEN Provision;
- Other Alternative Provision;
- High Needs Services

Including the staffing of Alternative Learning Hub, SEND Business Unit, Proportion of Hope School and Director of Education.

- Key Issues:

- Volatile budgets which fluctuated year on year
- £1.1m overspend at 18/19 and forecast for 19/20 would result in a cumulative overspend of £3.5m.

AS responded to questions from Forum Members as follows:

- Early Years provision only received funding for emerging SEN;
- The reason for the 40 unfilled Resource Bases places was that, due to the changing pattern of needs, these places may not fit the needs of the child but it was necessary to keep the places in case a need arose;
- Schools with a proportionately high number of SEN pupils could apply for top-up funding and could be targeted for additional support from the Local Authority, but this would be in the form of services and not additional funding.

Forum Members raised the following comments:

- Concern that £406,000 has been committed in 19/20 to Resource Bases places which have continued to be unfilled over the last 4 years when there are other schools that need this money for SEN children.

AS acknowledged that this was an issue and it was something that could be looked at in the interest of reviewing efficiency but this would need to be the subject of consultation and fit in with the timescale of the funding process. It was noted that the needs of children were changing and there was less demand for speech and language services and more demand for services for children with complex needs;

- Concern that the Local Authority may not be aligning the limited resources available to the schools with the greatest need and this issue would be looked at further by the Finance Sub-Group;

AS agreed that the national system of funding did not give Local Authorities the tools to measure need with the greatest accuracy and there was no requirement for schools to account for this expenditure unlike Sports and PE Premium funding;

- Concern at the ongoing pressure on the High Needs Block and the need for more Government funding to address this problem.

RESOLVED –

- (1) That the presentation and issues raised by noted;
- (2) That the Finance Sub Group consider the funding issues raised in greater detail.

<p>5. Report on High Needs Block</p> <p>AS introduced the report and drew attention to the following:</p> <ul style="list-style-type: none"> • The Budget Monitoring position for 2018/19 had improved by £120k since the period 10 forecast, but there was still a forecast deficit of £3.6m by the end of 2020; • Bristol City Council Officers were proposing options including the transfer of surplus from the Early Years block and a strategy to respond to the ESFA call for evidence in relation to the national position of High Needs Funding; • The report addressed issues raised at previous meetings including an account of the funding of the Bristol Hospital Education Service, which was part of the High Needs Transformation Project Planning, and also the funding arrangements for the Hope School. • There was a correction to paragraph 8.3 to read that “There are 214 (<i>and not 264</i>) pupils in the Hope School aged to year 13 with EHCPs” • The work of the Hope School was preventative and there were risks associated with not providing these interventions for children in care. <p>In response to questioning, Officers confirmed:</p> <ul style="list-style-type: none"> • The PFI for Special Schools was funded centrally; • The Estates Strategy could come to the Forum for information, but not for decision as this was the responsibility of Bristol City Council’s Cabinet; • The increases in core funding equating to £0.47m related to the costs of additional places being made available at 3 special school providers; • It was reasonable to assume that overall expenditure on high needs would increase 5% per annum in line with the previous 4 years although this would be clarified in the overall pupil planning exercise. <p>RESOLVED - that</p> <ol style="list-style-type: none"> (1) That the 2018/2019 High Needs budget outturn be noted; (2) That the last three years funding levels and 2019/2020 High Needs Budget be noted; (3) That the information provided on BHES and Hope Virtual School be noted; (4) That the ESFA’s call for evidence on the High Needs national funding arrangements be noted. 	
<p>6. Early Years Block</p> <p>Forum Members agreed to change the order of the agenda and consider the Early Years Block item in advance of making a decision on the DSG Overview 2018/19 Outturn and 2019/20 Budget.</p> <p>SJ introduced the report and drew attention to the following:</p> <ul style="list-style-type: none"> • The final financial position for 2018/19 and budget for 2019/20; • The risks and opportunities relating to the Early Years Block including the fluctuations in pupil numbers throughout the year and also a drop in 2 year olds which could be the result of a drop in birth rates or 2 year olds places being impacted by take up for 3 and 4 year olds; 	

- The Early Years Block should only be used to fund emerging SEN in Early Years and not complex needs;
- The underspend in Early Years was due to the differences and complexity in how data was captured which led to discrepancies between censuses;
- The report outlined options for the underspend, including:
 - the retention of 65% of the underspend to fund 1) Local Maintained Nursery Supplement 2019/20 and 2) Increase SEN rates for early years settings for 2019/20 and the transfer of £0.390m to the High Needs Block;
 - the retention of the £0.390m to fund 1) Local Maintained Nursery Supplement summer 2020; 2) Contingency; 3) one off increase to settings.

The following comments were raised on the proposals from Early Year representatives:

- The funding of Nursery Schools was complex and not on the same basis as other schools, but they were subject to the same requirements as schools such as Ofsted Inspections;
- Early Years providers were seeing higher numbers of children with complex needs and a number of parents were deferring entry to Primary Schools to keep them in Nursery Education;
- To transfer money from Early Years to High Needs would in effect be “robbing Peter to pay Paul” as the money would be better retained in Early Years to support children with high needs;
- If children with high needs do not attend nursery provision they will then enter primary education without any support in place and intervention was better if high needs were identified at an early age;
- Nursery Schools in the most deprived areas often had the lowest number of 2 year olds;
- If the money was retained in Early Years it could be used to enhance the rate of 2 year olds and be directed at the most deprived areas;
- In terms of PVI, the money could be used to meet staffing costs, where fluctuating pupil numbers made it difficult to retain staff on a consistent number of hours throughout a year.

It was agreed that the report be noted and a decision be deferred pending consideration of the following item, DSG Overview 2018-19 and 2019-20 Budget.

RESOLVED – that

- (1) the changes in participation levels between the January 2018 and January 2019 pupil censuses **be noted** as follows:
 - a. -6.1% reduction for 2 year olds (79 pte down);
 - b. +0.1% reduction in Universal Hours for 3 and 4 year olds (10 pte up); and
 - c. 11.1% increase for Extended Hours for 3 and 4 year olds (272 pte up).
- (2) the Early Years Block underspend during 2018/19 and year end cumulative surplus of £1.115m at 31st March 2019 **be noted**;
- (3) the risks and opportunities associated with the Early Years Block **be noted**.

7. DSG Overview 2018-19 and 2019-20 Budget

DT introduced the report and drew attention to the following points:

- The report covered the outturn position for 18/19 and budget position for 19/20;
- There was an overall underspend on the DSG of £2m , but a £1.1m deficit on the High Needs Budget;
- The Local Authority had a duty to consult with the Schools Forum on the treatment of the carried forward surplus;
- The views of the Forum was sought on the proposal to transfer £1.968 of the year end surpluses to the High Needs Block, including £0.390 from the Early Years Block with a view to Cabinet taking a decision at its meeting on 4 June;
- The Council would need to write off £1.5m of school balances from its own non-DSG funds where previously maintained schools had left deficits on becoming academies.

The following comments were raised by Forum Members:

- Moving the money to the High Needs Block could weaken the Council's position in responding to the ESFA's call for evidence on the High Needs national funding arrangements and make the Government less sympathetic to the authority's case for increased funding. DT responded that the Section 251 submission would contain the necessary detail to reflect the true picture and this would also be set out in the call for evidence;
- Concern that the High Needs budget was not being spent in the right places e.g. the 40 Resource Bases places that had not been filled for the last 4 years and was therefore not reaching the most vulnerable children in the most deprived areas. AS responded the most pressure in the system was lack of funding to support SEN and these were often the most vulnerable children.
- Spending in Early Years could make a difference to the most deprived children as some of these children were 18 months behind on starting school and so investing in Early Years could save money in the long term;
- 8 out of 12 nurseries were in deficit as the funding formula was not working in this sector;
- There was a lower uptake of nursery places in deprived areas and these were the children who would most benefit from this education;
- The money should be kept in early years to plug the gap in SEN funding in nursery provision.

Councillor Keen welcomed the comments of Forum Members and acknowledged that there was a low uptake of nursery places in deprived areas, but questioned how funding could be directed at these children if they were not in the education system. It was agreed that this would need to be the subject of a future report.

In considering the officers recommendations set out in paragraph 2.1 of the report asking Forum Members to (a) note the current outturn position; (c) note the balances of maintained schools; and (d) note the need for the Council to write off £1.5m due to previously maintained schools leaving deficits on becoming academies, these recommendations were **AGREED**.

In considering recommendation (b) which asked for Forum Members views on how Cabinet might agree the treatment of the carried forward surplus, Forum Members voted on the following:

i. Transfer the £1.561m Schools Block balance to the High Needs Block;	AGREED (9 in favour, 4 against)
ii. Transfer the £17k underspend on the Central School Services Block to the High Needs Block;	AGREED (13 in favour 0 against)
iii. Retain £0.517m of the Early Years year-end balance for the local Maintained Nursery Schools Supplement and £0.208m for a one-off increase to early years SEN funding rates;	AGREED (12 in favour 0 against)
And transfer £0.390m to the High Needs Block	NOT AGREED (5 in favour 8 against)
iv. The adjusted High Needs Block balance to be £0.823m surplus.	THEREFORE NOT AGREED

It was subsequently **AGREED** that £0.390m remain in the Early Years Block and not be transferred to the High Needs Block and the use of the surplus be the subject of a full report to enable an informed view on issues raised by Forum Members relating to early years.

RESOLVED – that

- (1) the 2018/19 outturn position set out in Table 1, which includes a net cumulative surplus of £2.0m, an improvement of £0.5m on the forecast position at Period 10 be noted;
- (2) Cabinet be advised of the following views of Schools Forum on how Cabinet might agree the treatment of the carried forward surplus, specifically:
 - i. Transfer the £1.561m Schools Block balance to the High Needs Block;
 - ii. Transfer the £17k underspend on the Central School Services Block to the High Needs Block;
 - iii. Retain £0.517m of the Early Years year-end balance for the local Maintained Nursery Schools Supplement and £0.208m for a one-off increase to early years SEN funding rates, and also retain £0.390m in the Early Years Block;
- (3) the use of the £0.390m being retained in the Early Years block be the subject of a full report to enable an informed view on issues raised by Forum Members relating to early years;
- (4) the number of maintained schools with surplus and deficit balances and the overall position by sector be noted;
- (5) the need for the Council to write-off £1.5m of school balances from its own non-DSG funds where previously maintained schools have left deficits at the point they became sponsored academies be noted.

<p>8. Scheme for Financing Schools</p> <p>DT introduced the report and confirmed that some changes to the Scheme for Financing schools were mandatory, while others were discretionary. He drew attention to the discretionary changes and welcomed the comments of Forum members:</p> <ul style="list-style-type: none"> • The proposal to change the frequency of budget monitoring from twice per year to quarterly in line with Local Authority financial reporting and management practice; • The proposal for 5 Year forecasts. He reported that this proposal had not been welcomed by all schools as part of the consultation process and to address these concerns, the recommendation had been amended to require a 3 year forecast; • The proposal to formalise the requirement that schools causing financial concern comply with the requirements of the document called “Support Process for Schools Causing Financial Concern” • No proposal to change the 5% and 8% threshold for school excess surplus balances <p>The following issues were raised by Forum Members:</p> <ul style="list-style-type: none"> • Although most schools used software that could produce quarterly data, the data did not allow for a 5 Year forecast without manual input and would therefore result in an increased workload to produce this data. Could the implementation of this proposal be delayed until all schools had the software to produce the data without the need for manual intervention?; • Although a 5 Year forecast was good financial management in theory, in practice it was meaningless for nursery provision where budgets depended on the number of children and could not be predicted 5 years in advance; • The 5% and 8% thresholds should be reconsidered as it was not in line with DfE guidance that medium-term budgeting should not be burdened by bureaucracy. • The Scheme of Financing Schools document needed an overall review as some of the references were out of date and policies referred to no longer in existence. <p>In relation to the thresholds, DM confirmed that Bristol City Council did not propose to change these and also advised Forum that Local Authorities were currently being consulted on a new Financial Management code which would require 5 year forecasts to be submitted on an annual basis.</p> <p>In view of the comments raised, it was agreed that only the directed changes would be noted at this stage pending a comprehensive review of the Scheme. CP undertook to input into the review.</p> <p>RESOLVED – that</p> <ol style="list-style-type: none"> (1) the directed changes to the local Scheme for Financing Schools be noted; (2) a comprehensive review of the Scheme of Financing Schools be undertaken. 	
<p>9. Any Other Business</p>	

Dates of Future Meetings

CR advised that the next meeting would not take place on Tuesday 16 July 2019, due to a clash with a Bristol City Council meeting. He confirmed that he would be consulting with officers and Vice Chairs and advise Members whether the meeting would be rescheduled or cancelled.

CH

The meeting closed at 19.49 pm

DRAFT