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## BURY SCHOOLS' FORUM

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### MINUTES

of the meeting of Bury Schools' Forum on

**Tuesday 16<sup>th</sup> June 2020**

Microsoft Teams Meeting

#### In Attendance:

##### Nursery

Rachel O'Neil                      Headteacher

##### Primary

Fiona Robinson                      Headteacher

Claire Simon                      Headteacher

Martin Van Hecke                      Headteacher

Simon Waddington                      Headteacher

Richard Ainsworth                      Governor (& Bury Governors Association)

##### Secondary

Tina Owen                      Headteacher

Brian Roadnight                      Headteacher (Chair)

Joanna Filkins                      School Business Manager

Heather Standbridge                      School Business Manager

Susan Southworth                      Governor

##### Special & Special Academy

None in attendance

##### Pupil Referral Unit

None in attendance

##### Academy

David Waites                      Headteacher

Elaine Turner                      School Business Manager

Neville Kenyon                      Governor

##### Non-Schools

David Frost                      14 - 19

Karen Hopwood                      NASUWT

Geoff Hirst                      NAHT

Natasha Shears                      NEU

##### Children's Services Department:

Julien Kramer                      Interim Assistant Director for Education & Inclusion

Steven Goodwin                      Head of Strategic Business & Finance

Alison Vidler                      Principal Finance Officer (Schools & Systems Finance)

Elissa Reeve                      Senior Finance & Business Manager (Clerk)

##### Education Funding Agency (EFA) Observers

Caramia Muffett                      Education Funding Agency (EFA)

## 1. **Introductions**

The Chair welcomed Forum members to the first Schools' Forum meeting via Microsoft Teams. Forum welcomed Caramia Muffett from the Education and Skills Funding Agency (ESFA) as an observer at the meeting.

Forum acknowledged Fiona Robinson and Karen Hopwood's long service and thanked them for all their contributions, input and hard work over the years. The LA reiterated their thanks also.

## 2. **Apologies for absence**

Helen Chadwick	Headteacher
Lisa Corrigan	Headteacher – Heather Standbridge represented
Karen Dolton	Executive Director of Children's Services
Jonathan Wilton	Headteacher – Joanna Filkins represented
Lawrence Yarwood	Governor

## 3. **Minutes of the last Meeting**

The minutes of the meeting held on Tuesday 14<sup>th</sup> January 2020 were checked and agreed as a correct record of the meeting.

## 4. **Matters Arising from the Minutes (14/01/20)**

### **Page 2 Item 4 – SEND Analysis**

Action  
JK

Julien Kramer reiterated that the impact has been beneficial and work is in progress to evidence this impact and will be reported at the next Forum meeting.

### **Page 8 Item 8 – Pupil Premium Policy**

Action  
SG

Steven Goodwin said that he had not seen the revised Pupil Premium Policy as yet but the LA has a new Virtual Head and he will follow this up with the them and inform Forum when more information was known.

## 5. **Children & Young People Directorate**

Julien Kramer updated Forum on the work involved in assisting Bury schools during the Coronavirus pandemic including providing equipment, weekly meetings with Headteachers and various clusters aimed at supporting the Bury schools in a very difficult and challenging period. Mr Kramer acknowledged that the Council was not running as financially smooth as it would like due to increased demands.

Forum stated that schools were being given Covid Grants to refund purchases of exceptional items and asked if the LA was also getting extra equipment and support. It was recognised that a lot of additional spending is taking place within the LA which has received approximately £10 million in grants, so far mainly aimed at supporting local Businesses, Bury's Clinical Commissioning Group (CCG) and Adult Social Care with a small element being claimed to support Children's Services. The £10 million received to date is not sufficient and the LA is projecting a £30 million spend pressure due to Coronavirus.

The LA is submitting monthly returns to try and recover as much spend as possible and has received further funding via different strands of grants, noting one recently received had a condition that 75% went straight out to local care homes.

The DfE has not launched their reimbursement scheme as yet although it was due out on 3<sup>rd</sup> June as there has been some technical delays. Schools need some clarity on what they can claim back. The furlough scheme has been used by some schools for their out of school club staffing. The Government have today announced that the free school meal scheme will continue through the summer holidays also.

The LA is also monitoring SEN costs and if placements have broken down or alternative provision has been required in certain circumstances. Transport contracts have allowed for additional vehicles to ensure social distancing without extra costs, however there have been no savings when transport has not taken place again due to contracts.

Forum recognised that there was significant work being undertaken and substantial pressures for everyone involved.

## **6. Final Outturn 2019/20**

### **a) Children & Young People (CYP) Directorate**

Steven Goodwin presented the Month 12 CYP Department Headlines report which detailed the final overspend analysis for 19/20. These figures are subject to final Cabinet approval and will then be made public. The main overspend area was in other Management Costs at £2.334 million. The overspend was due to the carry forward of unachievable savings targets made in 2017 as part of the three-year budget cycle. These proposed savings were mainly aimed at children social care which, due to increasing demands, were never realistically going to be achieved.

Steven Goodwin explained that if these savings pressures had not been carried forward into 2019/2020 the department would have balanced so despite the final overspend being reported this is still a positive result and a testament to CYP managing its' budgets effectively despite facing increased demand pressures. A lot of progress has been made, Children's Services has now been restructured with a new Early Help division, enhanced SEN provision and the career progression in social care has been addressed which will result in greater job retention and reduced reliance on high cost agency staff.

As we move into 2020/2021 it has been confirmed that the 2019/20 overspend will not be carried forward and the budget should hopefully allow for demand pressures to be covered where possible and 20/21 savings target to be achieved. There are plans for services to be re-designed and re-configured to be able to refresh the support to schools to give education provision which reflects current needs and not historic requirements.

Forum queried how many Education Psychologists the LA employed as it was recognised that these are essential roles. It was confirmed that the Team Manager left last year and currently there are 3 EP's working approximately 1.9 full time equivalent between them. The LA understands the importance of this service and has sustained the provision by using agency staff until the review of service is completed.

## **b) School Balances**

Steven Goodwin presented the spreadsheet comparing each schools' year end balances for 2019/20 with 2018/19 and highlighted that there were many healthy balances but also some deficit results. 50% of schools increased their balances from the previous year and the net surplus balance in Maintained schools increased from £5.2 million to £5.5 million with these balances expected to increase. There are some schools which may have some financial difficulties and the LA is working closely with these schools.

The schools in deficit included St Monica's, Sedgley Park, St Andrew's Ramsbottom, St Paul's, St Bernadette's, St Luke's, Peel Brow and the Secondary PRU. Forum were informed that most of these schools had balanced their budgets for 20/21 and the situation was being monitored by the LA.

Steven Goodwin highlighted the hard work undertaken by the Interim Executive Board (IEB) at St Monica's to reduce their deficit from £336k in 18/19 to £154.7k in 19/20 with a plan to ensure no debt is left with the LA when the school academises. The new management and IEB has completely turned the school round making, considerable efficiencies and significant positive steps in school improvement. If however the school converts on 1<sup>st</sup> July a small deficit may be left, the final deficit or surplus balance will be determined in accordance to the academy conversion requirements and notified to Forum in due course.

St Paul's swing from £112k surplus to £128k deficit was caused by a large amount of agency staff and significant issues although further detail cannot be shared. It is public record that the school was subjected to a formal warning. The deficit is expected to be recovered this financial year.

Julien Kramer recognised and thanked the CYP finance team and colleagues in schools who were working hard to maintain balances and recover deficits.

The schools which had become sponsored academies and left the LA with a deficit were discussed. Radcliffe Hall left the LA with £205,276 deficit, Holy Trinity with £6,172 and Broad Oak with £92,717. It was explained that the LA does everything it can to mitigate deficits for converting sponsored academies but it can be very difficult.

Forum queried if the LA keep an eye on schools likely to become sponsored academies and their financial situation. It was discussed that the LA's finance team do monitor all their schools but it is not always on the radar that schools are going to convert. Also if an IEB is put in place the LA can lose control and their involvement is restricted due to Government guidance, however the LA can instigate more controls where a Governing Body remains in place.

Forum asked if all three of the sponsored schools in deficit had an IEB and it was confirmed that two out of three did. Steven Goodwin said that he has challenged the DfE about IEB and LA powers and also that the situation is not equal, if a school leaves in deficit then the deficit is left with the LA but if a school is left in surplus they take that with them.

Different authorities have different methods, some LA's remove delegated powers straight away if a school is planning to become an academy but it is currently not Bury's approach.

Julien Kramer suggested that Forum consider the automatic withdrawal of delegation for any school going through conversion which could be discussed at a future meeting.

### **c) Reportable Surpluses**

Steven Goodwin presented the Controls on Surplus Balances 2019/20 report which detailed primary and special schools with over 9% and secondary schools with over 6% surplus balance carry forwards from their 19/20 budgets. It was explained that Bury's percentages are slightly higher than Ofsted recommended percentages due to the reduction in Devolved Formula Capital (DFC) funding to schools around 2011/12 and the LA's recognition that schools may want to save greater levels of revenue funding to contribute towards capital schemes.

Forum was informed that usually the LA does not recommend any action against the first year of reportable surplus as a "one-off" and where all the schools on the attached list have plans to spend their surpluses and be under the threshold by the end of 2020/21, hence there are no proposals to claw back any funds.

This week Derby High has suffered from its roof collapsing which will incur significant costs to repair although Forum discussed this could be covered an insurance claim. Regardless the school still had several priorities for utilising its excessive surplus during 2020/21.

Although Old Hall is one to watch with a continuous history of high surplus balances the school has had its boiler condemned so the LA is recommending the school invests in a complete replacement with estimated costs of approximately £41k.

Forum highlighted that Summerseat Methodist Primary had been featured in the Bury Times with an Inadequate Ofsted rating and would be taking a significant surplus with them when converting to an academy and was over the surplus for the second year. It was discussed that the Ofsted result was unfortunate as the current Headteacher is new to the role and only started in September 2019. School is looking at a reduction to children on roll from September 2020, which could possibly worsen due to the latest Ofsted report, so they are trying to protect some carry forward to sustain a balanced budget into following year/s.

Action  
SG

It was suggested that a subgroup is created to examine any excess surpluses in future years and assess the individual schools spending intentions especially for those schools who continuously run above the thresholds. It was agreed that a working group would be useful as then not all the recommendations would be left to Steven Goodwin.

It was also queried that if schools can continually run above threshold what is the point of having thresholds and also if any money has ever been taken back from schools? The over threshold funds could go into a pot to support the family of schools or even contribute to DSG deficit recovery. It was notified that the last time any surplus money was taken back was in 2009 from three schools with recurring excessive surpluses and it was a very difficult and painful process.

It was confirmed that no action was taken on excessive surplus balances at the end of 2018/19 due to the impact of the funding transfer to support the High Needs Block deficit recovery.

It was highlighted that in 2019/20 due to the Covid-19 lockdown that some planned projects and spending was delayed, and also that some schools' surplus balances were greater than planned due to the in-year adjustment to Education Health & Care Plan (EHCP) funding.

#### **d) DSG Recovery**

Steven Goodwin presented a report and explained that the DSG is currently facing significant demand pressures and has an accumulated deficit which is subject to an approved Deficit Recovery Plan with the Department for Education (DfE). The plan takes into account developments and investment required within Bury in order to create and sustain the capacity and sufficiency of Special Educational Needs and/or Disabilities (SEND) provision and inclusion facilities in-borough. The recovery plan is therefore forecast to worsen before the benefits of investment begin to see a significant reduction in out of borough high-cost placements.

32 LA's have recovery plans mainly over three years but Bury has an agreed a five year budget recovery plan which involves an "invest to save" strategy which includes increasing the deficit in 2020/21 to assist in the investments being made in SEN and inclusion aimed at stemming the flow out of the Borough in future years. The 2019/20 deficit of £20,067,144 was higher than expected due to the demand pressures from high cost placements and EHCP volumes increasing.

The in-house provision of a new Special school is going through DfE official process and the LA is not at the stage of notifying the potential sponsor at the moment. The new school is expected to take at least two years before it is open, this is factored into Bury's five year deficit recovery plan profile.

Forum were notified that if the DSG deficit continues to increase without the necessary savings being achieved then the deficit will be greater than Bury's total High Needs Block funding allocation in approximately 18 months. Steven Goodwin emphasised this is a huge issue and is being closely monitored by the DfE.

The DfE is to launch a 'significant review' into High Needs funding and spending and it is hoped that Bury may benefit financially from any outcomes of this review. The review is delayed presently due to the Coronavirus pandemic therefore it is not feasible at this stage to anticipate any outcomes. It would also not be prudent to anticipate any increased funding as this may ultimately not be the outcome Bury sees.

Senior DfE officials have previously acknowledged that Bury has a good deficit recovery plan on paper, and it is now vitally important that recovery commences and all involved in the LA and Schools/Academies appreciate the severity of the situation and ensure all take responsibility for the actions, controls and savings urgently required.

Steven Goodwin acknowledged the suggested controls and accountabilities listed in his report were developed mainly from a financial perspective and he recognised the potential operational difficulties in ensuring all controls are embedded and adhered to.

Steven advised Forum of the LA concerns at the scale of the deficit as this has an impact on overall cash flow. The LA is asking for the urgent support of the schools in this recovery.

The LA is looking at its current EHCP funding model with a view of breaking away from the traditional hours on plans. The £6,000 mandatory school contribution to SEND funding used to relate to approximately 12 hours of teaching assistant support but over time with increments and inflation this now equates to around 10 hours of support. There are a significant number of pupils on 32.5 hours which is full time support.

Schools' Forum expressed concern about the increasing deficit and said that they needed reassurance that this was going to be brought back under control as schools would not have been allowed this level of financial severity, plus money had been transferred from the schools block but this does not seem to have made any difference. Steven Goodwin said that plans are in place with the SEND process from Early Years to Post 16 and Further Education but the LA could not control the significant volume of young people coming through the system who need support. There are currently 1,800 EHCP pupils and all these plans are now being rewritten and a new referral process will be put in place but it is a huge task. The LA has been reviewing resource units and alternative provisions with a view to recommissioning and enhancing in-borough capacity where required. Steven confirmed all the borough's special schools are full and there is no immediate quick fix without the whole referral system, including communications with stakeholders being addressed.

Forum enquired if this meant that Bury had more high needs pupils than other authorities or that the difficult decisions not to spend were not being made. It was also discussed that many pupils go out of borough at primary school level and can be difficult to bring back into borough which is a huge investment if a child goes out in Year 1 and stays out through their secondary and college years. It was also stated that there are various reasons children receive EHCP's and doctors can support a parent in a diagnosis of autism and then there are various levels of autism which makes it difficult. Sometimes parents with medical support seek alternative provisions but the LA needs to challenge and fight the process where possible.

There is a legacy of a poor SEND service which was also highlighted by Ofsted but all SEND Leads are working on the issue reviewing all areas of provision from early years, early help to primary and secondary provisions and resource units as it is understood that the LA must run a tight service with good financial management and good inclusion practices. Forum acknowledged the investments made especially in inclusion and the hubs and that it will take time for the benefits to make a difference.

Bury needs to educate more of its own pupils and stop sending them out as placements are expensive and not necessarily providing a better education or allowing for social inclusion within the area pupils live. Bury needs to use the money to support pupils within its own borough ensuring investments are made locally in Bury's schools and communities.

Action  
SG

An Out of Borough update will be brought to the Autumn Meeting.

## **7. Charging for School Transfers, Excluded Pupils and AP referrals**

Steven Goodwin presented a paper written by Nick Bell, Inclusion Lead and Lee Harris, Headteacher of the Secondary PRU. The paper detailed that full costs for placements set up as a result of permanent exclusion or full-time placements short of permanent exclusions have been funded by the Partnerships plus Milltown House, Spring Lane and Hub placements have been free of charge. All of this has been funded by the High Needs Block of the DSG which is facing significant deficit and demand pressures.

The LA and schools are commissioning some expensive alternative provision placements via suppliers such as Craig Ormerod or Music for Young People.

Schools used to be charged a £5k transfer fee to Milltown House and Spring Lane no matter when in the year a pupil transferred to help with the support and courses required for these pupils. It is proposed that a Partnership Agreement is set up between schools / academies and the LA through its Inclusion Partnerships to enable schools to access a full range of partnership support and accept the charges proposed. Formalities are needed but it is important that academies are on board with the agreement also.

The proposal paper is not a formal LA written paper but the LA will be providing the provision so the agreement will be written in line with LA procedures. It is aimed at being an incentive not to exclude / transfer out pupils and also to recycle the money into the system.

This proposal was going to BASH but unfortunately the meeting was postponed and will be discussed at next week's meeting.

Forum discussed its concerns that some areas have a higher percentage of disruptive pupils than others so it is important that it does not become punitive to some schools. It was also discussed that some behaviours are social problems outside school.

The LA has spent a year re-designing the SEMH service investing in three secondary hubs and Spring Lane. It is important that funding should follow the children and a fair process is in place providing a support network to protect children and schools.

Julien Kramer recommended decisions were made as soon as possible as it was important to avoid further delays.

Forum queried if receiving schools would see the money to support the transition. It was agreed that if a child is re-integrated to another school it would be supported.

Action  
SG

Nick Bell has a monitoring process showing a detailed analysis of exclusion tracking and Forum asked if Nick Bell could be invited to the next Forum meeting to discuss this further.



## **8. Growth / Falling Rolls Criteria**

Steven Goodwin presented his report explaining that growth funding is within LA's schools block NFF allocations and can only be used only to:

- support growth in pre-16 pupil numbers to meet basic need
- support additional classes needed to meet the infant class size regulation
- meet the costs of new schools

LA's are responsible for funding these growth needs for all schools in their area and the report suggested initial criteria for this funding. Steven Goodwin asked for the Forum's expertise in this area and for any suggestions to consider before the LA progresses with deciding which schools are eligible.

The funding only relates to revenue funding and not capital.

Steven Goodwin explained that LA's may set aside school block funding to create a small fund to support good schools with falling rolls, where local planning data shows that the surplus places will be needed within the next three financial years therefore protecting schools from potential redundancies when recruitment will be needed the year after.

Forum should agree both the value of the fund and the criteria for allocation. Criteria for allocating falling rolls funding should contain clear objective trigger points for qualification, and a clear formula for calculating allocations. Differences in allocation methodology are permitted between phases.

Forum were asked again for their expertise in the criteria listed.

## **9. Summer Schools & Activities**

Julien Kramer explained that a significant number of pupils have lost ground in their education due to the Coronavirus lockdown. The LA is considering what sort of activities could be put in place to assist pupils who are working behind or are vulnerable over the summer holidays and is assessing all options and facilities.

Forum asked if the LA was expecting schools to ask their teaching staff to come in over the summer or is the LA just looking for suggestions at this point. It was identified that schools are exhausted and staff need a break to be refreshed for a difficult impending autumn term. The LA appreciates that schools have been open over the Easter and half term holidays and also some weekends. The LA is just asking for suggestions of a range of activities which could take place and is waiting for the Government to make a statement as to what should happen during the summer holidays

Forum suggested that the summer holidays free school meals could but linked with summer school activities.

Forum queried that many weeks ago schools were promised laptops for Year 10 pupils but these have not arrived. It was confirmed that Bury is getting 800 laptops with 580 going to vulnerable pupils. Year 12 pupils were not eligible but college laptops have been loaned out to any pupils who are struggling but some Year 11's will struggle too, will there be any support here?

## **10. National Funding Developments 2021/22**

Steven Goodwin presented his Update on National Funding Formula (NFF) 2021/22 explaining the sparsity factor which currently no Bury schools are eligible for.

**The Teachers' Pay Grant (TPG) and the Teachers' Pension Employer Contribution Grant (TPECG)** will be rolled into the schools, high needs and central services block for 2021/22 giving Primaries approximately £180, Secondary's £265 and Special Schools and PRU's £660 per pupil.

Academies will continue to receive the separate grant directly for April to August and then via their gag from September.

The **IDACI** dataset and mapping of postcodes is not undertaken each year. The current formula funding for schools and academies is based on the IDACI 2015 data. For 2020/21 the latest IDACI 2019 data will be used and is intended to ensure the NFF continues to target schools most likely to need additional funding generated through this factor.

To minimise any turbulence created by using the refreshed dataset, the DfE will ensure the IDACI Banding structure from A to G maintains the overall funding proportion allocated for Deprivation funding through the NFF. This will require technical adjustments and the LA will work through the impact on Bury's schools and academies in due course after the data is released.

The DfE has continued to protect maintained **Nursery Schools** in 20/21 and this is expected to continue in 2021/22 but will be subject to review.

The **Hard National Funding Formula** will not be applied to the 2021/22 funding year and will be considered for 2023/24 onwards. When the hard formula is in place the role of the Schools' Forum will change, having a greater emphasis on high needs and deficit recovery.

The DSG allocation for 2021/22 will be notified to LA's in July 2020.

## **11. Date of Next Meeting**

The dates of the next meetings were confirmed as follows:

**Tuesday 20 October 2020 - 4 pm – Location TBC**

Future Dates:

**Tuesday 24 November 2020 - 4 pm – Lancaster Room, Elizabethan Suite  
Further meetings to be scheduled in due course**

## **12. Any Other Business**

Forum thanked Fiona Robinson, Karen Hopwood and David Frost for their hard work and commitment to Forum over the years and wished them luck in their future ventures.