

---

## BURY SCHOOLS' FORUM

---

### MINUTES

of the meeting of Bury Schools' Forum on

**Wednesday 30<sup>th</sup> June 2021**

Microsoft Teams Meeting

#### In Attendance:

##### Early Years

Rachel O'Neil                      Headteacher – Hoyle Nursery

##### Maintained Primary

Emma Moncado                      Headteacher – St Joseph's RC Primary  
Claire Simon                      Headteacher – Bury & Whitefield Jewish Primary  
Simon Waddington                      Headteacher – Hollins Grundy Primary  
Richard Ainsworth                      Governor (Plus Governors Forum)

##### Maintained Secondary

Susan Southworth                      Governor – Derby High  
Lawrence Yarwood                      Governor – Bury CE High

##### Academy

Emma Ford                      Headteacher – Radcliffe Hall – Christ Church MAT  
Brian Roadnight                      Headteacher (**Chair**) – Shaw Education Trust (SET)  
Heather Standbridge                      School Business Manager – St Teresa of Calcutta RC MAT  
David Waites                      Executive Headteacher - Vision MAT

##### Special

None in attendance

##### Special Academy

Kristie Bloomfield                      Oak Learning Partnership  
Orienne Langley-Sadler                      Oak Learning Partnership

##### Pupil Referral Unit

Non in Attendance

##### Non-Schools Sector

Tony Durack                      NASUWT  
Geoff Hirst                      NAHT  
Helena Thom                      NEU

##### Children's Services Department:

Isobel Booler                      Director of Education & Skills  
Steven Goodwin                      Head of Strategic Business & Finance  
Alison Vidler                      Principal Finance Officer (Schools & Systems Finance)  
Elissa Reeve                      Senior Finance & Business Manager (Clerk)

## **1. Apologies for absence**

Gail Branch	Headteacher – All Saints CE Primary
Tina Owen	Headteacher – Philips High
Rachel Pars	Headteacher – Elton Primary – Bury College Education Trust (BCET)
Helen Chadwick	Headteacher – Millwood
Joanne Hurst	Headteacher – Millwood
Carina Vitti	14 – 19 Representative

## **2. Introductions**

The Chair welcomed all Forum members to the meeting via Microsoft Teams and Isobel Booter to her first Bury Schools' Forum meeting.

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

The minutes of the meeting held on Tuesday 19<sup>th</sup> January were checked and agreed as a correct record of the meeting.

## **4. Matters Arising from the Minutes (16/06/20)**

### Page 2 Forum Representation Secondary Sector

Steven Goodwin confirmed that Jonathan Wilton, Headteacher at The Elton High School, had volunteered to step down as a representative from the maintained secondary sector. This sector now has the correct representation. Steven thanked Mr Wilton and his School Business Manager, Mrs Filkins, for their input.

Steven also confirmed that this would have been Helen Chadwick's final meeting so also thanked Mrs Chadwick for her input and hard work over the years. Mrs Chadwick had sent her apologies in advance to this meeting adding that she had enjoyed her time working with colleagues and the Schools' Forum over the years.

### Page 2 Covid Funding

The Forum commented on the lack of funding support to schools for Covid. It was discussed that the Workforce Fund had been very restrictive and only covered November and December. Only 5 primary schools have applied for and received the Covid Workforce Grant totalling £14k.

It was highlighted that the issue was out of the Local Authority's control. The LA had raised the matter with the DfE and although the DfE sympathised with the situation they have had no further financial support from Treasury to be able to provide more additional Covid funding to schools.

It was acknowledged that some schools had been hit more than others.

### Page 3 School Crossing Patrol

There had been a lot of deliberation at previous Forum meetings regarding the School Crossing Patrol charges. The analysis is ongoing regarding the location of crossing patrols and the sharing of costs between neighbouring schools and will be subject to constant review to ensure costs are assigned correctly.

Highways have confirmed that there is no active scheme looking at proposals for new automated crossings adjacent to schools however the Highways team do prioritise high risk areas.

Forum stated that discussions on charges to schools had been ongoing for some time therefore why had the costs per school not been finalised prior to April 2021 and budget setting.

It was confirmed that the school crossing patrol was not a Financial Services function however the finance team has assisted as much as possible to provide support to the School Crossing Patrol Service but due to the capacity of this service the finalised costings have been delayed.

The School Crossing Patrol service has difficulties in recruiting in this area and job advertisements are constantly on the website. Schools will not be charged if the LA cannot recruit to any particular crossing.

Forum discussed that the School Crossing Patrol costs should be funded by the schools but considered whether the charges could be spread across all schools using a per pupil methodology as some schools are penalised by their location and having to have 2 crossing patrols.

Steve Goodwin said that the Memorandum of Understanding detailing school and LA responsibilities relating to school crossings had been prepared but delayed by the elections and purdah. Forum confirmed that some schools had received an old version of a Memorandum of Understanding which appeared to be from 2014 and which detailed some hidden costs, for example the school's responsibility for funding the training of crossing patrol roles.

Isobel Booter confirmed that the Memorandum of Understanding needed to be reviewed as a matter of urgency.

**Steven Goodwin will liaise with the School Crossing Patrol service on all issued raised by Forum**

Page 7 Risk Protection Arrangement (RPA)

At the last meeting Forum asked Steven Goodwin to confirm with the LA's Insurance Service that future agreements relating to schools undergo a consultation with the schools and no future extensions to the insurance arrangement should be made without schools being involved.

Steven Goodwin previously circulated with the agenda a response from the Head of Insurance at Bury Council. Steven confirmed that, disappointingly, the schools are tied into an agreement until 2023 but had set reminders in his calendar to ensure the schools are not circumnavigated again.

Although the LA's premium should decrease with ongoing competition around RPA it will not be as low as the alternative RPA offered by the DfE. Some savings were seen in 21/22 and the reduction has been passed onto schools.

**5. 2020/21 Final Outturn**

Steven Goodwin presented his report previously distributed with the agenda and confirmed that a more detailed report would be provided as soon as it was available, the information is currently being finalised for Audit.

a) Children Young People & Culture (CYP)

Overall, the service finished 20/21 with a £1.136 million overspend which although significant is not as high as originally forecasted. The overspend was mainly in the Education & Skills area which included Home to School Transport, Home to College Transport, SEN Team interim agency capacity and unachieved saving targets. There was also overspend in Social Care & Safeguarding mainly due to interim agency capacity, external legal fees, and independent Foster Agency fees.

There were underspends in Childrens Commissioning and Early Help & School Readiness mainly due to vacancies and the maximisation of Grants.

It was confirmed that moving into 2021/2022 there was increased funding for Home to School Transport as the pressures of this service had been recognised however Home to College Transport had not been recognised as the increased travel requirements for St Monica's Hub had not been included in the cost pressures.

The external legal fees were due to Legal Services outsourcing social care cases to external barristers however the LA had now appointed a new legal expert so the 2021/22 costs should hopefully be reduced.

Forum queried what the plans were moving forward to reduce the deficit and avoid it increasing during the new financial year. It was confirmed that plans are in motion to address the situation and unfortunately last year the transformation plans put in to balance the budget in 2020/2021 were not realised. There is now a medium-term financial strategy which has been refreshed with a newly appointed permanent Chief Finance Officer along with a permanent Assistant Chief Finance Officer. The pressures from home to school transport and social care have been recognised so more funding has been given but savings still need to be achieved also.

The Chief Executive of the LA is also heavily involved in ensuring the savings are and there is more ongoing scrutiny, however the situation on CYP budget is volatile and, for example, should a new family requiring social care assistance be identified and there is no budget available the service will overspend.

b) Dedicated Schools Grant

The deficit brought forward from 2019/20 was £20.067m, the deficit carried forward to 21/22 is £21.407m. The LA had forecasted a deficit of £26m but this was reduced due to the DfE investment in the Safety Valve project.

The increased deficit is mainly due to increased in-year EHCPs and associated top-ups, increased in-year out of borough high-cost placements and increased in-year Special school placements and high-level bandings.

Forum queried if in-depth analysis was available as to why Bury's EHCP funding was higher than the national average. Isobel Booter explained Bury's EHCP rate is 4.1% whereas the national average is 3.6% per the January 2021 census. When analysing the DSG overspend and reasons behind the extraordinary overspend it is an oversimplification to blame out of borough placements as some out of borough placements are cheaper than Bury's in-borough special school bandings and EHCP top-ups. SEND Transformation is aimed at reducing costs and going back and looking at the whole assessment and EHCP process. The High Needs Block funding is being analysed line by line to identify what is going on and what priority transformation is required.

There are two different interventions in place with the DfE:

- 1) Written Statement of Action (Ofsted)
- 2) Project Safety Valve – High Needs deficit recovery

Both interventions involve having a robust look at the deficit whilst considering the ambitions of the SEND children and their families, and clarifying the strategy moving forwards with all stakeholders, including Schools' Forum, Bury2Gether, Education, Health and Care colleagues .

Project Safety Valve has very tight reporting timeline to the DfE.

c) Schools, including Reportable Surplus Balances Review

As detailed in the spreadsheet previously circulated with the agenda, there were 12 schools that carried balances over the permitted thresholds in 2019/2020 and there were 29 schools with balances above the permitted thresholds in 2020/2021. The school balances combined total has risen from circa £5m to over £8.6m between 2019/20 and 2020/21.

Normally Forum would be provided with an explanation and plan to spend from each school above the permitted threshold, however time constraints due to significant work being actioned for Project Safety Valve, have not permitted this work to be actioned this time. All schools on the list have committed to bring their surpluses in line by the end of this financial year.

The Coronavirus Grant was paid with a condition that schools did not increase their balances however schools have claimed, and balances have increased. It is believed that the DfE will be making direct contact with schools which have increased their surplus balances significantly although there is no definition as to what 'significantly' means.

This is the biggest increase in school balances ever seen in Bury and is also being seen nationwide. This may be a reason why the Treasury may not consider providing further funding to schools relating to the Coronavirus.

Forum acknowledged that this may be why schools had not received further funding but also explained that it was hard to get builders on site with the ongoing pandemic and building supplies had also been in short supply meaning that schools have planned to spend but the work has not yet been carried out. Therefore, short-term difficulties will have increased the surplus balances.

Forum deliberations moved onto the Controls on Surplus Balances provision within the Scheme for Financing Schools, please refer to the minutes at Item 6 below.

**6. Scheme for Financing Schools**

The Scheme for Financing Schools document was previously circulated with changes detailed within the accompanying email.

Steven Goodwin explained one additional update since the document was distributed which involved the school banking arrangements and setting up a school bank account where there is no longer a prescribed list of banking establishments, other than the provision any banks must be officially UK registered.

Forum were informed that the LA would not normally support schools having a separate bank account as Unit 4/Agrosso system, available to all schools, provides very detailed and more cost effective financial management processes and authorisations.

**a. Provision 6.2: Controls on Surplus Balances – proposed revision**

In conjunction to the consideration of schools' surplus balances recorded at Item 5c. Steven Goodwin suggested that the Forum could consider an alternative scheme moving forwards and proposed an automatic excessive surplus balance clawback scheme to allow the LA to recover the funds above the maximum thresholds and hold in an earmarked reserve against the individual schools which could then allow these schools to have the funding back at a later stage when it was required and subject to demonstrable spending plans.

Forum considered the suggestion but discussed that the old policy remains suitable and needs to be actioned by the LA as schools carrying forward surplus balances for several years should have the funding removed. It was acknowledged that these schools should be investing funding on their pupils in the year they receive the funding and not holding onto large surpluses. Steven Goodwin expressed concern that some schools have had surplus balances and then undergone negative Ofsted inspections and suggested, if they had used their funds appropriate, timely, and invested in their schools' attainment for their pupils, they may have had a different outcome.

Forum stated that the LA should hold the schools to account as there is a policy there and it should be used. Forum also highlighted that the LA's Budget Consultants should hold their schools to account more at their budget meetings.

**The proposal was considered and discussed by Forum but was not recommended to be applied to the revised Scheme for Financing Schools.**

Forum were requested to approve the revised Scheme so it could be published as the revised version.

**The representatives from the Maintained Sectors approved the revised Scheme for Financing Schools, applicable with effect 1 April 2021.**

**7. DSG Deficit Recovery**

The Update: Safety Valve, DSG Deficit Recovery, SEND Transformation report had previously been distributed. The report detailed that the LA has undertaken to reach a positive in-year balance on its Dedicated Schools Grant (DSG) account by the end of 2022-23 and in each subsequent year.

The LA updated the DfE with progress on 18<sup>th</sup> June which showed that the LA was already going off track with the deficit recovery. The LA is also working with AMEO consultants.

The LA has agreed to implement an action plan which includes strengthening the SEN assessment and placements, clarifying assessment thresholds for EHCP's, future planning the provision within Bury, improving the quality and timeliness of management information, supporting and driving schools in Bury to meet a higher level of need in a more cost-effective way within mainstream settings and remodel the financial practice to ensure accurate contributions from appropriate funding sources with ongoing monitoring of performance.

The LA is looking at data capacity, SEN capacity and finance capacity to address all the priorities whilst working in partnership more with all stakeholders including schools, social care, and health.

Currently both special schools in Bury are full with Elms Bank's capacity already increased and plans to increase Millwood's capacity in the future. There is one specialist independent school in Bury, Mill School.

Along with 5 other Safety Valve authorities, Bury put in a bid for £6.1m capital investment and it has been confirmed that Bury has been successful in achieving £3.8m capital funding. There is also approval for another special free school catering for SEMH but no location has been confirmed as yet.

The DfE paid Bury an additional £6m in 2020-21 which should have brought the deficit to under £20m but the budget deficit stands at £21.4m. In subsequent financial years, subject to compliance with the conditions, the DfE will pay DSG sums as follows in addition to the authority's formulaic allocation: £4 million in 2021-22, £4 million in 2022-23, £3 million in 2023-24 and £3 million in 2024-25. This funding will be provided in instalments and subject to continued satisfactory progress. Subject to full compliance Bury should therefore eliminate their cumulative DSG deficit no later than 2024-25.

Currently children and families of Bury do not consider they are getting good and timely provision from the SEND team. Progress started to happen during the last financial year and then it stalled.

Forum queried the £250,000 contribution given from the schools' block to assist with the high needs recovery and whether this was now a one-off. It was confirmed that an indicative figure of £250,000 transfer from the schools' block to high needs had been built into the recovery plan moving forwards. The National Funding Formula (NFF) allocates funding to schools and is continuing to increase. When the formula is applied then there is usually some headroom within the schools' block which is where the £250k comes from.

Steven Goodwin suggested that a Schools Forum Working Group is set up as part of the SEND Transformation to enable discussions to take place before updates are sent to schools therefore giving school representatives time to express their opinions to the policies.

Forum agreed to the proposal of a Working Group and suggested that the representatives could also discuss the surplus balances within schools with a view of advising schools in ways to spend their funds and analyse any difficulties individual schools are facing.

## **8. Schools' Forum Communication & Engagement**

Schools Forum meetings cover many areas which representatives on the Forum should feedback to their sectors. The LA is receiving an increasing number of calls as to why changes have been made without a discussion and asking for more information when the subject has been discussed and agreed at Forum. The LA sends out the minutes to all representatives and the minutes are also update on the website.

It was asked how the LA could action their side in updating schools better and if Forum members could take the discussions to their BAPH, BASH and cluster meetings to ensure the information is relayed and any issues can be raised and brought back to Forum.

Forum asked if the minutes could be distributed to all Headteachers and Chair of Governors in future rather than just Forum representatives. Forum also asked if the minutes could be sent out earlier.

It was agreed that the minutes could be forwarded to all Heads and Chairs and confirmed that the minutes are prepared and sent within 1-2 weeks from the meeting. The minutes are again sent out with the agenda pack prior to the next meeting.

It was also explained that the plan is to set up one place for schools to access information from the LA to improve communication.

It was suggested that some of the concepts discussed at Forum were quite complex and therefore some messages would get lost in translation and although representatives may understand the complexities when discussing at Forum when transferred to relaying messages the complexities for individual schools may not always be covered and individual Headteachers may only process the messages when it relates directly to their school. It was suggested that Steven Goodwin could attend some Headteacher meetings when key complex issues need to be discussed and context needs to be given.

Steven Goodwin confirmed that although he could not attend every cluster meeting, he would be happy to accept an invite to BAPH and BASH.

## **9. Date of Next Meeting**

The dates of the next meetings were confirmed as follows:

Tuesday 12 October 2021 – 4pm

Tuesday 16 November 2021 – 4pm

Tuesday 18 January 2022 – 4pm

Tuesday 14 June 2022 – 4pm

Tuesday 18 October 2022 – 4pm

Tuesday 15 November 2022 – 4pm

Tuesday 17 January 2023 – 4pm

## **10. Any Other Business**

### Catering charges during pandemic

Steven Goodwin referred to the Any Other Business Paper sent out with the agenda regarding the query that schools were charged (albeit at a reduced rate) for free school meals which were not served during periods of school closure. The query stated that this was done without consultation or warning and that schools who used a private provider rather than Bury LA Catering had not received similar charges.

In summary the response to the query was that throughout the pandemic all schools funding has been protected, including the Universal Infant Free School Meals Grant, Pupil Premium Grant, plus others. This protected level of funding and grants was enhanced through numerous Covid support grants and additional support for schools, including the Free School Meals (FSM) vouchers and reimbursement schemes.

The DfE issued guidance at the start of the pandemic in respect to schools continuing to honour all contractual arrangements, including Service Level Agreements (SLAs), to ensure no detrimental impact on service providers, and their staff, who are funded through the protected schools' budgets.

Schools have retained the full amount of UIFSM income provided by the government at the rate of £2.35 per meal and have received the full element of FSM funding within their delegated budgets for 2020/21 and 2021/22, they have only been charged £1.56 during the pandemic to cover the costs of contractual staff that could not be furloughed and continued to support the provision of meals throughout the pandemic.

The council has also received confirmation that external catering providers, such as Mellors, have also applied similar charges to schools.

No charges will be reversed or cancelled as all have been carried out in accordance with the guidelines.

It was confirmed by Forum members that private providers had charged far more than the LA and it was highlighted that the catering company Mellors was not recommended.

Helen Chadwick

Steven Goodwin reiterated his thanks to Helen Chadwick and wished her well in the future.