

BIRMINGHAM CITY COUNCIL

**SCHOOLS FORUM
16 MARCH 2023**

**MINUTES OF A MEETING OF THE SCHOOLS FORUM HELD ON
THURSDAY, 16 MARCH 2023 AT 1400 HOURS ONLINE VIA MS TEAMS**

PRESENT:-

Maxine Charles, Maintained Primary Schools Rep
Kelly Dawes, Academy Rep
Mike Dunn, Head Teacher (Maintained Secondary School Rep)
Helen Ellis, Director of SEND and Inclusion – BCC
Pam Garrington, Maintained Primary Governor
Malcolm Green, External DSG Advisor, Herefordshire Council
James Hill, Academies Rep
Debbie Holmes, Strategic Transformation Lead, Education & Skills
Councillor Karen McCarthy, Cabinet Member Children, Young People & Families, BCC
Pauline McKenna, Director of Support Services, Federation of Cherry Oak School, Victoria School & Victoria College
Kudzai Madzivanika, Developing Local Provision (DLP) Project Manager
Mandeep Marwaha, Committee Manager
Kate Reynolds, Director Lifelong Learning and Employability
Clare Sandland, LA Officer - Finance Business Partner
Terry Shaw, BCC Finance Manager
Chris Wilson, Special Academy Rep

WELCOME AND APOLOGIES FOR ABSENCE

- 16 The Chair welcomed all attendees to the meeting. Prior to the meeting starting, the Chair advised, and the members noted, that this meeting would be uploaded onto the Council's You Tube site. With members agreement, the meeting was recorded.

Apologies were submitted on behalf of Simon Bartlett, Sean Delaney, Claire Henebury (Elinor Warner to represent Claire Henebury), David Room, Jyoti Jaspal (Jackie Howse to represent Jyoti Jaspal).

The business of the meeting and all discussions in relation to individual reports were available for public inspection via the web-stream.

MEMBERSHIP OF THE BIRMINGHAM SCHOOLS FORUM

- 17 The Membership of Birmingham Schools Forum was shared for information.

Gillian Gregory noted that she sat on two governing boards and the reason she was on the Schools Forum was that she was from Lindsworth and not St Dunstan's. This would be amended.

MINUTES – BIRMINGHAM SCHOOLS FORUM 19 JANUARY 2023

- 18 **RESOLVED**

The minutes of 19 January were updated to read that the Head Teacher City of Birmingham School representing Pupil Referral Unit would be voting against based on the information provided rather than not voting.

Subject to the above note, the public minutes of the last meeting of the 19 January, having been circulated these were agreed by the School's Forum.

- 19 **MATTERS ARISING FROM THE MINUTES**

Action (19/01/2023): Page 2, Item 3- Director Lifelong Learning & Employability, the Chair and The Senior Business Analyst to look at the Delegation consultation process.

A paper had been produced on the issue.

Action (19/01/2023): Page 3, Item 3- Information regarding the High Needs block for 21/22 and 22/23 to be circulated to the invitees.

A paper had been produced on the issue.

Page 4, Action 1:

A briefing note on Oracle to be provided at future forum meeting.

An item would be presented at the Birmingham Association of School Business Management (BASBM) Conference 23 March 2023 to around an Oracle update, the current position and proposed new way of working on this. Following this a paper would be brought to the next Forum in June.

Action (19/01/2023): Page 4 - Monitoring the impact of and the accountability for the use of the DLP funding to be part of the SEND report at the December meeting. Action Carried forward to the next meeting.

A presentation had been produced on the issue.

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Action (19/01/2023): Page 4 - Director for Education and Early Years to arrange an induction for new Schools Forum members before the next meeting- Induction dates set, invites sent out.

This had been carried out.

Page 4, Action 2:

Nine tasks were identified around the schools forum during the induction session. A response to these tasks would be shared at the March meeting.

These had been identified. A verbal update would be given at the meeting.

Page 4, Action 3:

Presentation slides from the induction training to be shared with the members of the forum.

Some members had received these but not others.

Action: Committee Services to re-circulate.

Action (19/01/23): Page 5: Work programme to be added as a permanent item to the agenda

An item had been produced on this.

Action (19/01/23): Page 5: Director Lifelong Learning & Employability to meet with the Chair to discuss strategic approach to management of reserves.

A paper had been produced on this issue.

Page 6, Action 5:

A paper to be shared with the Schools Forum around the process for de-delegation.

This would be shared later in the meeting.

Action (19/01/23): Page 15: Noted a further report to be considered on the use of the former Teachers Pay & Pensions Grant funding following a task and finish co-design workgroup as set out in 5.2 of the report.

This group was meeting but had not yet reached a conclusion.

Action (19/01/23): Page 17: A report to be shared at a future meeting around the historic commitments with a view to reducing them over time and to ensure there was no future deficit.

This had been alluded to in the paper regarding the reserves.

SEND UPDATE – DELIVERING LOCAL PARTNERSHIPS (DLP) UPDATE

The following report of the Director of (Special Educational Needs and Disabilities) SEND & Inclusion was submitted: -

(See document No.1)

A presentation was given by the Strategic Transformation Lead and CEO of BEP who have led the DLP project since it's inception.

In addition to the information on the slides it was noted that:

- Broadly the same indicators used by the High Needs Block were used with regard to allocation of funding in terms of prior attainment, deprivation and population. There was a school level allocation for Primary and Secondary and these allocations were allocated into the Consortia and Network allocations.
- Impact on pupil outcomes and wider learnings, from a range of consortia and networks, were shared.
- A school led project related to getting secondary pupils back on school roll was carried out with the Local Authority and Schools which had significant impact on getting children back on to the school roll. Schools had reported termly on this cohort so the progress made by these children could be seen.
- The Special School Outreach Support had been funded by DLP as a school led project.
- Phase 2 of the DLP was aimed at giving schools more security by the allocation of 2 guaranteed years of funding but the funding would end after two years as it was hoped that this work would be sustained as a way of working when the funding ends.

In response to questions, the Board were informed that:

- Helen Ellis reported that the Special School Outreach Support (SSOS) funding would continue for the next two years. However, the actual levels had not been agreed; however it would not be less than £500k.
- A portal on the local offer website had been requested where every DLP project was presented with the impact it had and schools had been creative. It was understood that there had been some issues with developing that part of the website, however this was in process. Schools were being worked with to work out what else could be done to market their projects. Evidence-based practice had always been a criterion for the proposal actions.

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- In terms of accountability and more regular monitoring. Monitoring had been done termly and the data had been tracked. Where it had not been what was desired, those partnerships had been challenged. It was recognised that the attendance data and exclusions data was weak which was why this route had been taken and it had been made clear that it had been necessary to make these priorities. It was also currently planned to do visits to every school with an advisor and a specialist officer to heads and Special Educational needs Coordinators (SENCOs) to look at the data and consider where improvement might be needed. These priorities would not only be for the DLP but for every service.
- Contextual data would be rolled out to the leads in the following weeks and to heads in early April and the sooner a bid was in then the sooner the projects could start, following approval.
- In the absence of agreement for Second Year funding, Schools had been nervous about staffing and had been contacting the DLP individually and had been engaged on how they could be supported on staffing issues.
- The pressure of EPs and support services was understood and where people had not been able to access EPs the EPs had been spoken to and they had recommended other people. Initially the EPs and specialist teachers had been asked to allocate time to support DLP, however, things had changed radically following the inspection.
- There has not to date, been a focus or remit within the Local Authority to support and challenge schools on improving performance of SEND CYP. This would need to change so that the performance of children could be focussed on rather than just the provision.
- The practical considerations had been a continuous concern. As such, the pressure on the capacity in the system to meet all needs when people were all doing the same thing were an issue. Monitoring had happened in abundance of DLP, however there was an issue over reporting and who was reported to. As such it was suggested that there should be an agreement on how much reporting and at what level needed to come to Schools Forum.
- In terms of the Local Authority, it was requested that the frequency of feedback is agreed at the outset as all felt it was important to share with Schools Forum on the progress of the DLP. It was important to share what was available on a regular basis at Schools Forum and various other forums so that it could be understood what the data picture looked like for Birmingham in its entirety. There was a lot of information that the Local Authority needed to be better at sharing to work in collaboration. It was also recognised that it was important to share best practice across the city.

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- Regarding a question on whether the data on waiting times for mainstream resource bases and special schools, particularly for speech and language therapists, had been reduced – it was agreed this would be followed up. Many of the speech and language projects had been about empowering the schools and training the staff. Helen Ellis reported that the Balance System also needed to be looked at across the city with health colleagues and a detailed presentation brought to the forum. The connectivity with the DLP also needed to be considered to avoid duplication and to ensure clear evidence in terms of the impact and difference.
- Regarding the robustness of the SEND data, there was a comprehensive data set and dashboard of a whole range of SEND data with contextual and performance information that is now available. This could be brought back and shown to the Forum. There were a number of data challenges internally that the Local Authority were trying to address. On the Nexus system there was a lot of cleansing that needed to happen. Data was an area of priority for the authority as it was necessary to measure outcomes and impact. Small data sets were problematic as small bits of data were not so useful. Part of the project was working with consortia in order to work with larger sets of data.

The Chair clarified that whilst it was best practice that the authority provided information on the High Needs Block, this is part of a consultation process and schools forum do not have the authority to make decisions regarding HNB block.

20 **RESOLVED: -**

- (i) That the data on waiting times for mainstream resource bases and special schools, particularly for speech and language therapists be made available to the Forum.
- (ii) That a detailed presentation on the balance system across the city with health colleagues be brought to the Forum.
- (iii) That the dashboard of SEND data including contextual and performance information be made available to the Forum.

ADMINISTRATION OF THE BIRMINGHAM SCHOOLS FORUM

The following report of the Director of Lifelong Learning & Employability, BCC and the Committee Manager was submitted: -

(See document No.2)

The Director of Lifelong Learning & Employability introduced the report and drew attention to paragraph 3.3 which outlined the support that would be

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made available and in particular point vi which outlined which forum members had voting rights. She further drew attention to Paragraph 4 item g, that there would be a memorandum of understanding between Birmingham City Council service areas Committees, Education and Finance to ensure the processes and responsibilities are carried out.

The Committee manager added that the system would be moving over to the Committee Management Information System so the papers would be publicly available. There would be a signpost on the website to indicate that the system had transferred over so that members of the public could find the relevant areas.

21 RESOLVED: -

- (i) That members of the Forum note that the administrative support of the Birmingham Schools Forum will be undertaken by BCC Committee Services effective from 16 March 2023.
- (ii) That members of the Forum note that a memorandum of understanding will be drafted and subsequently agreed between BCC Committee Services, Finance and the Education and Skills Teams outlining roles and responsibilities in relation to the production of document packs for future meetings of the forum.

PURPOSE OF THE VARIOUS MEETINGS ASSOCIATED WITH THE BIRMINGHAM SCHOOLS FORUM

The following briefing note of the Director of Lifelong Learning & Employability, BCC and the Committee Manager was submitted: -

(See document No.3)

She informed the Forum that the Technical Group had proposed that it be disbanded, and a more focussed approach be moved to working groups which could explore a particular area and make recommendations and explore options rather than replicating the work of Schools Forum in the technical group.

22 RESOLVED: -

That the recommendations be accepted as follows:

- (i) The number of working groups is limited to one prior to the decision-making meeting in January
- (ii) Items to discuss will include
 - High needs block
 - Minimum funding Guarantee
- (iii) Further working groups may be requested by Local Authority or Schools Forum to discuss other complex funding arrangements or changes to

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financial arrangements which may need to be discussed in detail prior to the meeting and require input from subject matter specialist.

LA UPDATE TO INCLUDE SCHOOLS AUDIT OUTCOMES

The Director of Lifelong Learning & Employability gave a verbal update as follows:

- At the time of the meeting the second day of teachers strikes was under way. Across strike days in Birmingham about 40% of schools were fully open and 60% of schools were impacted in some way.
- In terms of 'Warm Welcome' approximately 10,000 people per week were benefitting from the scheme. It was recommended that schools let families know that if they were cold or feeling other pressures from the Cost-of-Living Crisis they would receive a Warm Welcome in their community library.
- Regarding post-16, the 'not known' figures were the lowest that Birmingham had ever had. NEETs were currently running at 2.8%.
- Regarding audits, the internal audit team had raised that schools had needed to be more robust with their evidence when auditors had come in, in terms of sound judgement and the audit trails to back up the judgement.

In response to a question the Forum were informed that in terms of communication and guidance, it was suggested that the auditors report to the Forum once a year on their audits of schools and that the auditors explain their position to the respective consortia.

23 RESOLVED: -

That the auditors report to the Forum once a year on their audits of schools and that the auditors explain their position to the respective consortia.

UPDATE ON TASKS FOLLOWING SCHOOLS FORUM INDUCTION SESSION

The Director of Lifelong Learning & Employability gave a verbal update as follows:

- The historic commitments were the equal pay claim and the funding for Standing Advisory Council for Religious Education (SACRE) which was in the historic commitments box.

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- The box to show whether voting was required and if so by whom would be added to agendas from the June forum onwards.
- Two of three bids for free special schools had been successful. These would create another 500 special school places across the system
- Votes would be recorded going forwards.
- Ways to make reports more accessible in terms of language were being considered.
- A DfE representative had attended the December meeting and had reported that it was a good meeting, and he was pleased with how it had gone.
- Regarding the reference in the regulations to independent schools for pupils with non-SEND, the Director of Lifelong Learning & Employability would find out more and report back to the Forum.
- The scheme of financial management would be taken for an annual update and it would be added to the programme of meetings.

24 **RESOLVED: -**

That the Director of Lifelong Learning & Employability find out more on regulations to independent schools for pupils with non-SEND and report back to the Forum.

UPDATE ON DFE VISIT TO SCHOOLS FORUM DECEMBER 2022 & RESERVES (FOLLOW UP ON ACTIONS)

25 These issues were covered elsewhere in the agenda.

HIGH NEEDS BLOCK BUDGET PROPOSALS 2023/24

The following report of the Finance Manager and the Director SEND & Inclusion was submitted: -

(See document No.4)

The report had been through a technical group on 7th March. The Forum members were not required to vote or make a decision on the item, however, it was considered best practice for the Forum to be consulted on the issue.

The Finance Business Partner introduced the report and highlighted the following areas:

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- The Local Authority was responsible for the setting of the budget and the Schools Forum was consulted.
- The High Needs allocation before recoupment was £270.9m and £237.6m after recoupment. This was an increase of £27.4m gross or £26.9m net from the position notified by DfE in December 2021 for Financial Year 2022/23.
- Additional grant conditions have been added for 2023/24 and a Minimum Funding Guarantee introduced.
- A total of £227.7m or 84.1% of the total allocation was proposed to be allocated for Direct Provision. This was an increase of £25.7m from that provided at this time in 2022/23.
- A further £24.2m or 8.9% of the total allocation was proposed to be allocated for other provision and support services. This was a decrease of £5.7m from that provided at this time in 2022/23. However, 2022/23 the final year of the deficit repayment plan. £4.1m of this related to the deficit repayment plan. From 2023/24 no prior year deficit was required to be budgeted to be repaid.
- The High Needs Block Technical Group met on 7 March where proposals were discussed. All comments raised had been considered and the budget proposals have been amended to build in an additional 25 places at the PRU. A question had been raised about special schools, in 2022/23 they were shown as 45.9% of the total budget and in 2023/24 they were 44.9%. This was due to growth assumed in the 2022/23 budget that did not occur.
- Further changes to the budget proposals would be brought to Schools Forum as and when they were proposed.
- An amendment to the report was brought to the attention of the Forum: There had been an increase in PRU places by 50 based on the number of children not in any form of education.

In response to questions the Forum were informed that:

- Regarding the decrease in percentage spend on provisions for special school resource bases and PRU, this was due to assumed growth that had not yet occurred causing the 2022/23 budget being set higher. When the figures were looked at like-for-like there was an increase of 0.1% for special schools and 0.3% for mainstream.
- Some growth had been considered, including 100 additional places in resource bases. It was thought that more may be needed. Additionally

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support elements needed to be considered as well as places in relation to the growth.

- The actual budget allocation would be shared with the Forum in future as well as the percentage increase of each budget and the allocation for supplementary funding.

26 **RESOLVED: -**

- (i) That Forum members note the 2023/24 budget proposals for the use of resources received for the High Needs block.
- (ii) That data regarding the reduction in the decrease in percentage spend on provisions for special school resource bases and Pupil Referral Unit (PRU) adjusted for the growth that did not occur be shared with the Forum.

DRAFT FINANCIAL STRATEGY – PROJECTED FORECAST FOR NEXT 3 YEARS (DSG BLOCK BUDGET)

The following report of the Finance Manager for Schools and Fair Funding submitted: -

(See document No.5)

It was noted that:

- There were four schools blocks and the dedicated main grant was the main grant that local authorities received to pass on to schools. Academies go this funding directly from the Education and Skills Funding Agency (ESFA).
- The dedicated schools grant balance for 2021/22 was £13m across the four blocks. There was a surplus on the Schools Block of £9.1m, on the Central Schools and Services (CSSB) block of £1.7m, on the Early Years block of £2.4m and on the High Needs Block a deficit of £247k.
- The Schools Block and the CSSB block were projected to spend to budget in 2022/23 with the High Needs Block and the early years block yet to be determined.
- The Dedicated Schools Grant (DSG) allocation for 2023/24 was set at £1.4bn. £1.1bn was across the Schools Block, the CSSB block was £8.2m the Early Years Block was £92.4m and the high needs block of £270.9m.

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- An additional DSG grant allocation was expected to be published to support schools with the pressures of financial inflation, increases in energy costs and wider increases in salary costs.
- Regarding the DSG reserves position, the schools block reserve was projected to reduce to £6m in 2023/24 following a drawdown from DSG reserves of £3.1 million to make the Schools Block affordable.
- Discussions were expected to take place with the ESFA in 2023/2024 as most Local Authorities are encountering an in-year Schools Block Deficit.
- A number of discussions had taken place with the DfE and ESFA. The outcome of these would be reported back to the Forum.
- Many local authorities were reporting a deficit for 2023/24.
- Going forward, there were a number of options available for future years, including adjusting the minimum funding guarantee and capping and scaling on pupil-led factors.
- The CSSB reserves were expected to reduce to £1.4m in 2023/24 but were projected to remain in surplus in the medium term.
- The historical commitment pressure on CSSB would need to be addressed beyond 2025/26 as if they continued to be funded as they were, the surplus would be reduced and depleted to zero and a budget for 2026/27 would need to be set where those historical commitments were in agreement with those partners with internal and external stakeholders.

In response to questions the Forum were informed that:

- The funding would be on top of the budget received for the Schools Block. This would be allocated by the ESFA. Publication of what to allocate to each school was expected this month. Money would be allocated in a timely fashion going forward.
- The High Needs block was dealt with differently as the DSG supplement from December included the additional DSG allocation.
- It was difficult to identify over the medium term what the DSG settlements were going to be. As such this was an introductory paper for further discussions going forward as it was necessary to know the outturn positions were across the DSG for 2022/23 before going to the next step. The outturn figures for 2021/22 were still being worked on whilst also preparing for the year-end 2022/23. When the outturn

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figures were available there would be a clearer picture on reserves going forward. The Schools Block was the biggest element of the DSG and it was necessary to understand why many authorities when setting budgets for 2023/24 have found themselves in a position where it was unaffordable. And reserves have had to be used or scaling and capping had needed to be applied. The authorities timetable needed to be worked around and as such an exact date for the outturn figures was not yet known.

- A paper that built up the assumptions to be worked with was needed. Another paper needed to come back to the Forum in June and a working group or task-and-finish group could work together to understand the situation.
- Regarding the drawdown of £3.1m, this was mostly growth funding and falling gross fund. Additional monies had needed to be used in order to fund the explicit and implicit growth. This was not funded through the Schools DSG. More clarity on the drawdown was needed in future reports and decisions made needed to be explicitly referred to.

27 RESOLVED:-

- (i) That the outcome of discussions had taken place with the DfE and ESFA be reported back to the Forum.
- (ii) That a paper outlining the assumptions to be worked with be brought to the Forum in June and a working group or task-and-finish group be worked with to understand the situation.
- (iii) That more clarity on the drawdown be made in future reports and decisions to be more explicitly referred to in future reports.

PROCESS FOR DE-DELEGATION – SCHOOLS FORUM MEMBERS

The following report of the Finance Manager for Schools and Fair Funding submitted: -

(See document No.6)

It was noted that:

- At last year's forum a consultation to schools had been sent out and one reply had been received. It was then proposed what would be put in the de-delegation rates. Next year it was aimed to get more responses from schools. There was now extra capacity and resources to do this. The consultation results would then be presented to the

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Forum at the December meeting to allow a provisional decision to be made with recommendations from the School Finance Team.

- The de-delegation process was to fund school-improvement activities.
- The phases could fund:
 - Additional school improvement services.
 - Contingencies for schools in financial difficulties and deficits of closing schools.
 - Behaviour support services.
 - Support to underperforming ethnic groups and bilingual learners.
 - Free school meals eligibility.
 - Insurance.
 - Risk Protection Arrangement.
 - Museum and library services
 - Staff costs supply cover.
- The Council had set de-delegation rates for contingencies (£15.23 per pupil in 2023/24), facilities time (£4.32 per pupil in 2023/24 in primary and £3.55 per pupil in secondary) and primary behaviour support services (£4.79 per pupil in 2023/24).
- Schools would be consulted in November each year.
- The agreed provisional de-delegation amounts will be inserted into the final APT. This would be presented for decision at the January meeting of the Forum.

The Chair noted that the de-delegation had historically always been informed by the different Forums and there were concerns that if a response was not received from the consultation that the Forum members would not have the necessary information with which to vote on it. Therefore, he recommended that the same processes exist through the forums as well as the consultation.

A further recommendation was made from a Board member that it was necessary to take the knowledge of people looking at a consultation into consideration and whether they were engaged and informed and able to make a representative decision.

28 **RESOLVED:-**

- (i) That the same processes exist through the forums as well as the consultation.
 - (ii) That the knowledge of people looking at a consultation be taken into account, and it be ensured that they are engaged and informed and able to make a representative decision.
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29 **WORK PROGRAMME 2022/23 REVIEW**

The Chair suggested that in future the January meeting be held in person to facilitate the voting.

30 **DATE OF THE NEXT MEETING**

The date for the next meeting was to be confirmed.

31 **OTHER URGENT BUSINESS**

The Chair noted thanks to Julie Beattie, Finance Manager, BCC, for her efforts in support for the Schools Forum.
