



NOTTINGHAM CITY COUNCIL
SCHOOLS FORUM

Date: Tuesday, 9 October 2018

Time: 1.45 pm

Place: LB 41 - Loxley House, Station Street, Nottingham, NG2 3NG

Members are requested to attend the above meeting to transact the following business

Governance Officer/Clerk to the Forum: Phil Wye Direct Dial: 0115 876 4637

AGENDA

Pages

1 APPOINTMENT OF CHAIR

2 APPOINTMENT OF VICE CHAIR

3 MEMBERSHIP

To welcome the following as new members of the Forum:

- Kerrie Henton (AP Academies and Free Schools)
- Derek Hobbs (Secondary Academies)
- Mark Trimmingham (Secondary Academies)

To note there remain vacancies for representatives of Special Academies and FE Colleges.

4 APOLOGIES FOR ABSENCE

5 DECLARATIONS OF INTEREST

6 MINUTES OF THE LAST MEETING

Minutes of the meeting held on 26 June 2018, for confirmation.

5 - 10

7 WORK PROGRAMME

11 - 12

8 DE-DELEGATION REPORTS

a De-delegation of funding for Trade Union time off for senior representatives

13 - 20

Joint report of the Director of HR and Transformation and the Strategic Director of Finance.

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|-----------|---|-----------|
| b | De-delegation of funding for the Behaviour Support Team (BST) in 2019/20
Joint report of the Corporate Director for Children and Adults and the Director of Education | 21 - 30 |
| c | De-delegation of funds for Health and Safety Buildings Inspection
Report of the Corporate Director for Children and Adults | 31 - 42 |
| 9 | HIGH NEEDS CONSULTATION ON PLACES
Presentation by Kathryn Stevenson | |
| 10 | SCHOOLS BLOCK TRANSFER PROPOSALS 2019/20
Joint report of the Director of Education and the Corporate Director for Children and Adults | 43 - 56 |
| 11 | EARLY YEARS BUDGET 2019 - 20
Report of the Corporate Director for Children and Adults | 57 - 62 |
| 12 | CENTRAL EXPENDITURE BUDGET 2019/20 | |
| a | CENTRAL EXPENDITURE BUDGET 2019/20 – Historic Commitments
Joint report of the Corporate Director for Children and Adults and the Chief Finance Officer | 63 - 108 |
| b | CENTRAL EXPENDITURE BUDGET 2019/20 – On Going Commitments
Joint report of the Corporate Director for Children and Adults and the Chief Finance Officer | 109 - 122 |
| 13 | MEETING DATES FOR THE 2018-19 ACADEMIC YEAR
To agree to meet on the following Tuesdays at 1.45pm:

11 December 2018
15 January 2019
26 February 2019
30 April 2019
25 June 2019 | |

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER/CLERK TO THE FORUM SHOWN ABOVE, IF POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD

TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER/CLERK TO THE FORUM SHOWN ABOVE IN ADVANCE.

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NOTTINGHAM CITY COUNCIL

SCHOOLS FORUM

**MINUTES of the meeting held at Loxley House, Nottingham on 26 June 2018
from 1.45 pm - 2.53 pm**

Membership

Present

Sian Hampton (Chair)
Judith Kemplay (Vice Chair)
Maria Artingstoll
Sally Coulton
David Holdsworth
David Hooker
Andy Jenkins
Stephen McLaren
Janet Molyneux
Tracy Rees
Terry Smith
James Strawbridge
Sheena Wheatley

Absent

David Blackley
Caroline Caille
Debbie Simon
David Stewart

Colleagues, partners and others in attendance:

John Dexter	- Director of Education
Julia Holmes	- Senior Commercial Business Partner
Cllr Neghat Khan	- Portfolio Holder for Education and Skills
Nick Lee	- Head of Access and Learning
Alison Michalska	- Corporate Director for Children and Adults
Kathryn Stevenson	- Senior Commercial Business Partner
Phil Wye	- Governance Officer

30 APOLOGIES FOR ABSENCE

Caroline Caille

31 DECLARATIONS OF INTEREST

None.

32 MINUTES OF THE LAST MEETING

The minutes of the meeting held on 24 April 2018 were confirmed as a correct record and signed by the Chair.

33 WORK PROGRAMME

The Work Programme was noted.

34 PROJECTS TO SUPPORT SCHOOL INCLUSION

Nick Lee, Head of Access and Inclusion, introduced the report and highlighted the following:

- (a) the exclusions taskforce has identified the need to embed better early identification and early intervention practice within city schools and academies across all phases;
- (b) Routes 2 Inclusion is a toolkit being developed by Behaviour Support professionals and Educational Psychologists alongside SENCOs in the city's primary schools. Phase 2 would embed this across all city schools, including workshops and bespoke training;
- (c) extension of the programme to the secondary phase has been considered, and a proposed programme has been costed at £48,000;
- (d) an additional pilot programme where Learning Mentors have worked with pupils at risk of exclusion has also been successful, as it prevented 15 out of 16 pupils worked with from being permanently excluded. This resulted in value for money compared to permanently excluding them, as well as the pupils remaining in mainstream education. It is proposed to extend this programme for a further year.

The following points were raised during the discussion which followed:

- (e) it can be difficult to engage with parents for early intervention, as they don't always see that there is a problem;
- (f) the work has early years elements built into it which is important to be sustainable long-term;
- (g) the aims of the programmes is to support early identification and targeting to reduce the number of permanent exclusions at both primary and secondary level.

RESOLVED to

- (1) note the proposed use of £0.084m from the DSG reserve to launch and further extend the Routes 2 Inclusion pilot project which had received pump priming funding through SEND Reforms grant;**
- (2) note the proposed use of £0.050m from the DSG reserve to extend the existing programme of Behaviour Support Team provision for targeted interventions for primary age pupils identified as high risk of permanent exclusion.**

35 2017/18 DEDICATED SCHOOLS GRANT OUTTURN REPORT

Kathryn Stevenson, Senior Commercial Business Partner, introduced the report setting out the 2017/18 Dedicated Schools Grant (DSG) outturn and the updated reserve balance. Kathryn highlighted the following:

- (a) £0.255m from the underspend from the Early Years Block will be ring-fenced in the SSR to mitigate against any clawback from the DfE following the January census;
- (b) the High Needs Block was over-spent by £0.176m, but benefitted from a one-off underspend on Fair Access as this was funded from NCSEP reserves in 2017/18.

Members asked that when they are approving central expenditure – for Early Help and Targeted Family Support services which is a Combined Services budget for 2019/20 at the next meeting, they are given clear information as to how this will support education, schools and reducing pupil exclusions. It was also highlighted that if the LA would like to meet to discuss this with the sub-group it should be done in early September 2018 to enable for the work to be carried out in time for the presentation of the report to Schools Forum on the 9 October 2018.

RESOLVED to

- (1) note that the 2017/18 financial outturn position of the DSG was an under-spend of £0.535m (0.21%) against a final budget of £255.522m;**
- (2) note that this under-spend has been allocated back to the Statutory Schools Reserve (SSR) resulting in a closing balance of £8.500m for 2017/18, as below:**

Opening Balance as at 1 April 2017	£11.516m
Less: DSg reserve supporting 2017/18 budget	-£2.870m
Less: 2017/18 Draw downs	-£0.681m
Add: 2017/18 Under spend	+£0.535
Closing balance as at 31 March 2018	£8.500m
Less: Future commitments	-£5.228m
Uncommitted balance as at 1 April 2018	£3.272m

- (3) note that the uncommitted balance on the SSR balance is £3.272m.**

36 SCHOOLS BLOCK TRANSFER TO THE HIGH NEEDS BLOCK 2019/20

Kathryn Stevenson, Senior Commercial Business partner, delivered a presentation on a proposed schools block transfer in 2019/20, highlighting the following:

- (a) a schools block transfer is a move of funds from the Schools Block to another block. There may be a requirement to transfer funds from the Schools Block to the High Needs block, which would result in delegated budgets for schools being lower than they would have been;
- (b) the transfer would require consultation with schools and Schools Forum approval. If the transfer is in excess of 0.5% or does not have support of the Forum, it can be submitted to the Secretary of State. This flexibility may cease from 2020/21

under the new hard National Funding Formula;

- (c) the transfer may be required as not all schools have signed up to the devolved Alternative Provision model which would have brought the High Needs budget back onto a sustainable footing after 2 years. Since 2015/16, the Council has been using funds from the DSG reserves but these have reduced year on year;
- (d) two options are proposed for implementing the transfer:
- plan A: a 0.73% block transfer, implemented by cutting funding per pupil in secondary schools by 1.5% in 2019/20. Schools which are signed up to the AP devolved model would receive a 35% reimbursement;
 - plan B: a 0.5% block transfer, implemented by all mainstream schools foregoing a 0.5% funding increase in 2019/20;
- (e) plan A would require Secretary of State approval, but would not affect primary schools as well as reducing the impact on secondary schools participating in the AP devolved model. On average secondary schools would be worse off by £88k, but the impact varies according to school size and level of deprivation;
- (f) Plan B is within local control but would affect all schools. Impact varies according to school size and level of deprivation, but most primaries' impact would be less than £10k and secondary impact would on average be a loss of £24k;
- (g) if Secretary of State approval is required, this will need to be done by the end of November 2018. Therefore, a consultation with schools will need to be launched prior to the summer holidays and close in early September so results can be reported back at the October meeting.

The following points were raised during the discussion which followed:

- (h) it would be preferable if the consultation could be slightly extended as Head Teachers are less likely to respond over the summer holidays, and if it could be brought to a Head Teacher's Briefing session;
- (i) it may be difficult for primary schools to sign up to plan B due to their already reducing budgets, with some already having deficit budgets;
- (j) the preferred option is still for all secondary schools to sign up to the devolved Alternative Provision model, and if this happens then neither option will be required. 8 schools are already signed up, with another 3 likely to soon and others undecided.

RESOLVED to thank Kathryn for the information provided.

37 UPDATE ON THE NATIONAL FUNDING FORMULA INFORMATION SESSION BY THE DEPARTMENT FOR EDUCATION

Julia Homes, Senior Commercial Business Partner, delivered a presentation, highlighting the following:

- (a) the 2019-20 schools National Funding Formula (NFF) will be broadly the same as in 2018-19, with a few key differences including a formulaic approach to the growth factor and mobility and premises being funded based on actual spend in 2018-19, with an RPIX uplift for private finance initiative schemes;
- (b) illustrative LA and school level allocations for 2019/20 will be released in July 2018 by the Department of Education (DfE) as well as operational guidance on the NFF for 2019/20;
- (c) final allocations for 2019-20 will be released in December 2018;
- (d) the 2019-20 Central Schools Services Block (CSSB) will be very similar to 2018-19. The 2018-19 DSG allocations published in December 2017 will form the 2018-19 baselines for the CSSB in 2019-20. In 2019-20, LAs will be allowed to gain a maximum of 2.14% on a per pupil basis and lose up to a maximum of minus 2.5% per pupil as in 2018/19;
- (e) LAs will be funded for historic commitments based on the budget agreed for 2018-19 and if any savings are made they will be allowed to use savings elsewhere in either the Schools or High Needs blocks. There is still an expectation that historic commitments will reduce over time. From 2020/21 onwards the DfE expect to start reducing the funding given to LA's for historic commitments by a set amount where authorities do not reduce the expenditure of their own accord;
- (f) risks and pressures to the budget in 2019-20 include re-evaluations of business rates, pupil growth and high exclusion rates.

RESOLVED to thank Julia for the information provided.

Sian Hampton announced that she would be stepping down as a member of the Forum for the 2018-19 academic year and thanked other Forum members and Council officers for their support in her role as Chair.

38 DATE OF THE NEXT MEETING

AGREED to meet on Tuesday 09 October at 1.45pm at Loxley House.

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SCHOOLS FORUM WORK PROGRAMME 2018/19

Title of report		Report or presentation
11 December 2018		
1.	National Funding Formula – Update on the outcome of the consultation (provisional)	Report
2.	Revised Pupil Growth Criteria for 2019/20 onwards – approval for criteria	Report
3.	Pupil Growth Fund 2019/20 – approval of funding	Report
15 January 2019		
1.	Schools Budget 2019/20	Report

Deadlines for submission of reports

Date of meeting	Draft reports (10.00 am)	Final reports (10.00 am)
09 October 2018	14 September	27 September 2018
11 December 2018	16 November 2018	29 November 2018
15 January 2019	7 December 2018	2 January 2019

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SCHOOLS FORUM - 9 October 2018

Title of paper:	De-delegation of funding for Trade Union time off for senior representatives
Director(s)/ Corporate Director(s):	Richard Henderson, Director of HR and Transformation Laura Pattman, Strategic Director of Finance
Report author(s) and contact details:	Gail Keen, ER Specialist Tel: 0115 876 3612 Email: gail.keen@nottinghamcity.gov.uk Daljit Singh Nijran, Organisational HR Manager Tel: 0115 876 2833 Email: daljit.nijran@nottinghamcity.gov.uk
Other colleagues who have provided input:	Julia Holmes, Senior Commercial Business Partner, Finance Jon Ludford-Thomas, Senior Solicitor, Legal Services
Summary	
The purpose of this report is to outline the proposed funding arrangements for trade union (TU) facility time for senior trade union representatives from schools to attend negotiation and consultation meetings and to represent their members in schools in 2019/20.	
Recommendation(s):	
1	For maintained mainstream primary schools to approve the de-delegation of funding for senior trade union representatives at a rate of £1.45 per pupil and a lump sum of £1,368 per school. Total funding requested to be de-delegated by maintained mainstream primary schools is £0.056m. This is made up of £0.016m generated by pupil's numbers and £0.040m lump sum funding.
2	For maintained mainstream secondary schools to approve the de-delegation of funding for senior trade union representatives at a rate of £1.45 per pupil and a lump sum of £1,368 per school. Total funding requested to be de-delegated by maintained mainstream secondary schools is £0.003m. This is made up of £0.002m generated by pupil's numbers and £0.001m lump sum funding.

1 REASONS FOR RECOMMENDATIONS

- 1.1 Under the school funding arrangements, staff supply cover costs must form part of the school formula. However, funding can be retained centrally on behalf of maintained mainstream primary and secondary schools if de-delegation is approved.
- 1.2 The decision made by Schools Forum to de-delegate in 2018/19 related to that year only, so a new approval is required for this service to be de-delegated in 2019/20. Schools Forum members of maintained mainstream primary and secondary schools for each phase must decide separately whether this service should be provided for centrally and the decision will apply to all maintained

schools in that phase. Funding for this service will then be removed from the formula before the school budgets are issued.

- 1.3 Schools Forum agreed in October 2013 that Academies could be approached to ascertain whether they would like to be part of the Local Authority's (LA) arrangements in relation to the funding of senior trade union representatives. Currently, twenty-four primary and two secondary academies have agreed to participate in this arrangement, as well as one school for children with additional needs, and one Pupil Referral Unit.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Time off for workplace representatives is currently funded by the schools in which they work, but there is central funding for senior TU representatives from the main unions that represent teachers and support staff in schools namely:

NEU
NASUWT
NAHT
UNISON
GMB

These senior representatives meet with officers of the LA to participate in the schools collective bargaining machinery, negotiating and engaging in consultation on terms and conditions of service and HR policies and procedures as well as representing their members on a range of employment matters. If this funding were not available, senior TU representatives would be asking for time off to attend meetings with the Council and this would have to be funded by the school in which they work as there is an entitlement under the Trade Union and Labour Relations (Consolidation) Act 1992 (TULR(C)A) for reasonable time off for trade union officials to represent their members.

- 2.2 Academies are in a similar position; some of their employees are senior TU reps and are asking for release to represent employees in maintained schools and other academies. The current funding method means that academies will be reimbursed for time spent away from school on TU duties.
- 2.3 There are benefits and economies of scale for maintained schools and academies from contributing to the LA's arrangements for trade union consultation. They do not have to duplicate effort when negotiating policies and procedures such as the recent Teachers Pay Policy. Schools can then use such policies, if they buy back HR services, in the knowledge that the senior trade union representatives have been consulted and any issues resolved. Senior TU representatives are also more experienced in policies and procedures, when representing their members, which can be helpful.
- 2.4 Schools that do not contribute to the TU costs will have to have their own arrangements for negotiating and consulting trade unions on terms and conditions of service and will have to release TU representatives from their own school to undertake collective bargaining and to represent their employees.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 If this is not supported, the budget will be delegated and schools will have to make their own arrangements for negotiating and consulting with the trade unions on changes to HR policies and procedures which will lead to duplication of effort and inconsistencies across schools.
- 3.2 TU reps have a legal right to time off to participate in the collective bargaining arrangements of their employer and to represent their members. If the de-delegations are not agreed, individual schools would have to bear the cost of the time off for the senior TU reps nominated by their union to participate in these discussions. TUs may also decide that they each wish to appoint reps in individual schools and, therefore, schools may also have to pay additional costs for the training and CPD of each TU rep.
- 3.3 This year, consideration has been given to alternative ways of calculating the funding for trade union time off to ascertain whether the current approach is still the most appropriate. This was prompted in light of recent changes to facility time allocations due to increasing number of schools becoming academies and due to the change in trade union representatives, which has seen a reduction in the cost of salaries. There are limited options for amending the calculation formula, but consideration has been given to the viability of calculating de-delegation amounts on the basis of an increased per-pupil charge, with no lump sum charge. **Table 1** below shows the impact of moving to recharging based on a flat rate per pupil.

Table 1: Comparison of continuing with the current recharging model or moving to a flat rate per pupil					
Phase	Number of schools			Increase or decrease in cost by adopting Option 2	
	Gainers	Losers	No change	Gainers range	Losers range
Primary	33	20	1	£3 to £711	£-13 to £-1,775
Secondary	0	2	0	-	£-842 to £-3,051
All-through	0	1	0	-	£-7,648 to £-7,648
Specials	2	0	0	£976 to £1,070	-
PRU's	1	0	0	£631 to £631	-
TOTAL	36	23	1		

- 3.4 On the basis of the financial modelling that has been undertaken, it was concluded that a change to this method would largely increase charges to many participating schools and academies, with some schools seeing significant increases in cost. On balance, it would seem that the current approach remains fit for purpose and, therefore, the calculation for 2019/20 has been made no differently to previous years.

4 OUTCOMES/DELIVERABLES

- 4.1 The money requested is based on actual salary of those employees who have time off therefore those schools including academies who have senior TU representatives with time off will receive the actual cost of the absence of that employee. The amount of time off per union is based on the per capita membership per union and the actual cost of the TU reps' salaries.

5 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 5.1 As per "The national funding formula for schools and high needs 2019 to 2020 Policy document – July 2018" for the next two financial years (2019/20 and 2020/21) local authorities will continue to set their local funding formula to distribute their schools block funding, in consultation with schools and their School Forum.

Paragraph 5 & 6

"We are pleased to see the significant progress across the system in moving towards the national funding formula in its first year.

In light of this progress, and in order to continue to support a smooth transition, we are confirming that local authorities will continue to determine local formulae in 2020-21"

Local authorities will continue to be funded based on the new national funding formula. Included within this "soft approach" is the ability for local authorities to be able to still request approval from maintained primary and secondary school representatives on Schools Forum for de-delegated services.

- 5.2 Any decisions made to de-delegate in 2018 to 2019 related to that year only; new decisions will be required for any service to be de-delegated in 2019 to 2020 and 2020 to 2021 before the start of each financial year.
- 5.3 As stated in 4.1 the cost of trade union facility time is reimbursed to their place of employment. Based on the 2019/20 salary projections and forecast income from maintained schools and academies who buy into the service (based on the current rate of £1.45 per pupil and a lump sum of £1,368), this would generate sufficient funding to cover the costs of the salaries in the financial year 2019/20. The calculation of the salaries assumes a pay award of on average of 2%.
- 5.4 **Table 2** shows the forecast projection for 2019/20.

Table 2: Forecast projection for the financial year 2019/20		
Forecast income from maintained schools	-£0.058m	
Forecast income from academies	-£0.057m	
Total forecast income		-£0.115m
Forecast expenditure		£0.115m
Net Surplus/(Deficit)		£0.000m

- 5.5 Last financial year the recharge was based upon a rate of £1.55 per pupil and a lump sum of £1,622. The rates have reduced in 2019/20 due to a change in some trade union representatives whose salaries are lower than the previous post holders and an increase in the number of academies wishing to buy-back into the service. It is estimated that this combined approach should enable the facility time to be funded for 2019/20 to a breakeven position.

Julia Holmes
Senior Commercial Business Partner
17 September 2018

6 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 6.1 The schools forum's powers here derive from the School and Early Years Finance (England) Regulations 2018 ("SEYFR"), made by the Secretary of State in exercise of powers under the School Standards and Framework Act 1998 and the Education Act 2002. The SEYFR came into force on 5 February 2018.

Chapter 2 of Part 2 of the SEYFR is entitled "Further Deductions and Variations to Limits Authorised by School Forums or the Secretary of State" and it contains regulation 12 of the SEYFR. Under regulation 12 of the SEYFR, on the application of a local authority the schools forum may authorise *the redetermination of schools' budget shares by removal of any of the expenditure referred to in Part 6 (Items That May Be Removed From Maintained Schools' Budget Shares-Primary and Secondary Schools) of Schedule 2 [of the SEYFR] from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, under regulation 11(5) (SEYFR, regulation 12(1)(d)).* Part 6 of Schedule 2 to the SEYFR contains paragraph 43, which states, amongst other things:-

Expenditure on making payments to, or in providing a temporary replacement for, any person who is –

- (a) carrying out trade union duties or undergoing training under sections 168 and 168A of the Trade Union and Labour Relations (Consolidation) Act 1992;*
- (b) taking part in trade union activities under section 170 of the Trade Union and Labour Relations (Consolidation) Act 1992;*

Therefore, provided the proposals fall within the above legislation, Nottingham City Schools Forum has the power to approve the recommendations in this report. This power should be exercised lawfully. Provided the amounts sought through use of this power have been correctly and lawfully calculated, the exercise of this power will be lawful.

Moreover, it should be noted that any decision taken by the Schools Forum here does not obviate an employer's requirement to consult with staff via their trade union representatives. As employers of their own staff, Academies (and the governing bodies of voluntary aided schools) will still have substantive legal

obligations to consult, even if their proposals align with those of Nottingham City Council in relation to the authority's own staff in maintained schools.

Aman Patel
Solicitor
25 September 2018

7 HR COLLEAGUE COMMENTS

- 7.1 The relevant HR issues are included in the above report. The trade unions are supportive of this approach and have commented as follows:

Good employment relations are key to minimising costs. To achieve this, both schools and the trade unions need effective and positive support for members and employers that can remain locally based. If schools/academies choose not to de-delegate funding then the costs will almost certainly exceed the amounts as recommended in this report. We believe the proposed formula to be affordable based on the current funding provided centrally. The investment is worth making to secure peace of mind regarding providing the time and resources outlined in statute so that the unions are able to represent members both individually and collectively in negotiations and consultation meetings with schools/academies.

*For those of you who require further information regarding Facility Time, the TUC produced a report "The Facts about Facility Time for Union Reps" (2011) which is very informative and helpful (see link)
<http://www.tuc.org.uk/tucfiles/108/TheFactsAboutFacilityTime.pdf>*

- 7.2 There is broad agreement across the teaching unions (NAHT/NEU/ASCL/NASUWT) that de-delegation should be supported and that they have jointly contacted schools and academies to express this view.
- 7.3 The existing 'pot' set up by the LA for academies to pay into has been supported by a number of academies who recognise the value of the expertise provided by TU officials via effective JCNC mechanisms.
- 7.4 The stated ambition for City schools to be less atomised is supported by having organisations that 'join them up' and the TU's represent just such a body.

8 EQUALITY IMPACT ASSESSMENT

- 8.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because:

These proposals have a very broad scope across many schools and academies and are focussed on financial matters. It is not possible to accurately assess how this directly impacts on individuals employed within schools.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 Schools Forum report 9 November 2017: De-delegation of funding for Trade Union time off for senior representatives
- 10.2 The national funding formulae for schools and high needs 2019 to 2020 – July 2018
- 10.3 Schools revenue funding 2019 to 2020 Operational guide – July 2018

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SCHOOLS FORUM – October 9th, 2018

Title of paper:	De-delegation of funding for the Behaviour Support Team (BST) in 2019/20
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults John Dexter, Director of Education
Report author(s) and contact details:	Kimberly Butler, Behaviour Support Team Leader Tel: 0115 8762433/38 Email: Kimberly.butler@nottinghamcity.gov.uk
Other colleagues who have provided input:	Julia Holmes, Senior Commercial Business Partner, Finance Leanne Sharp, HR Consultants Jon Ludford-Thomas, Senior Solicitor, Legal Services Adisa Djan, Equality and Diversity Consultant

Summary

Funding for the Behaviour Support Team has been part of the school formula since April 2013. Schools Forum has the power to de-delegate the funding on behalf of maintained schools to retain this service.

BST has identified 'core' elements of its role, which would enable the schools and LA to meet their statutory duties.

The funding is targeted towards those children with Social Emotional Mental Health (SEMH) needs where pupils:

- are at high risk of exclusion;
- are either a Foundation or Primary aged pupil;
- have barriers to progress in school.

Other elements of BST work are those commissioned through schools as a traded service.

In the event that the Schools Forum decides not to fund the BST the likelihood is that the team will cease to exist in its current form after March 2019.

Recommendation(s):

1	<p>For maintained mainstream primary schools to approve the de-delegation of funding for statutory services provided by the BST in 2019/20 at a rate of £55 per pupil eligible for free school meals and a lump sum of £0.003m per school.</p> <p>Total funding available for de-delegation by maintained mainstream primary schools is £0.223m. This is made up of £0.136m generated by pupils eligible for free school meals and £0.087m lump sum funding.</p>
2	<p>If the proposals for de-delegation are not subsequently approved, due to consultation periods, there may be a risk to a full years saving in 2019/20 and as such a further report would be required to Schools Forum to approve the associated costs.</p>

1 **REASONS FOR RECOMMENDATIONS**

1.1 If de-delegation is approved the work undertaken by BST will contribute to the legal and statutory responsibilities of maintained schools by working to the following legislation:

- Children and Families Act 2014;
- SEND - Code of Practice (updated 2015);
- Health and Safety Act 1974;
- The Equality Act (2010);
- Children Act - revised 2004;
- Exclusion Regulations - Education Act 2011;
- Exclusion Guidance, 2017;
- School Attendance (Education Act 1996) and amendments 2010;
- Admissions - Schools Admissions Code 2012 (Education Act 1996);
- Ofsted Framework (amended Sept 2018).

1.2 The de-delegated budget will continue to provide maintained Primary Schools with 446 days BST support/intervention, at no cost to school. Each of the maintained Primary Schools will receive 3 days support per year, which is used for strategic planning and development and can include attendance at team around the school meetings.

The remaining 359 days are pooled and allocated on a needs basis according to the criteria listed below; to allow targeted support according to need across the 29 schools.

The nature of the support/intervention offered is negotiated with each school, following a consultation with staff, and the impact of the intervention/support is monitored and measured in conjunction with SLT. Support/intervention can be offered at pupil, class or strategic level.

Support can also include the writing of SEMH HLN requests plus the moderation of SEMH HLN requests.

Criteria for involvement:

1. Primary need of SEMH
2. On a reduced time table/ at risk of exclusion/ being excluded – in spite of evidence of a graduated response
3. Foundation or Primary aged pupil
4. Pupil's behaviour is challenging, aggressive or a danger to others/self
5. Behaviour seriously limits access to the curriculum/learning
6. May require physical intervention or is considered a health and safety risk

1.3 De-delegation for 2019-20 will ensure that sufficient staffing within the Behaviour Support Team can be retained to deliver the above services; and to ensure continued access to additional commissioned services for maintained schools and academies.

Where schools commission support the detail of support will be negotiated between the school and BST.

Services (as detailed in our brochures) may include:

- de-escalation and physical intervention training plus positive behaviour support;
- therapeutic interventions e.g. Play Therapy, Theraplay, Special Play, Sunshine Circles, Art Imaging;
- personalised or group support for an identified pupil;
- staff coaching/mentoring;
- Senco support (e.g. planning provision for SEMH pupils)
- observations – whole class, pupil or fixed interval sample;
- inset training;
- mid-day Supervisor training;
- behaviour and lunchtime audits;
- parenting programmes (e.g. Solihull, Triple P) or bespoke parenting support;
- strategic work e.g. review/rewrite school's behaviour policy, support with risk reduction strategies;
- practical support to schools in the Ofsted overall effectiveness grade around Personal Development, Behaviour and Welfare eg behaviour or environmental audits, revising behaviour policies, strategic support to reduce behaviour risks, PSCE training etc;

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 The team currently comprises 4.4 full time equivalent (fte) teachers, 3.25 (fte) Behaviour Learning Mentors and 0.8 administration support. Over the last year, staffing has again reduced and models of service delivery are regularly reviewed, in order to offer continued value for money and provide a more efficient service delivery. BST costings continue to be competitive and represent value for money.

Within the local region – there are still no other dedicated behaviour support teams. Schools however are able to purchase elements of BST services from other commercial providers (e.g. Team Teach or private therapists) - however, no other provider offers the full range of services that BST delivers as a single team; plus the team's in-depth knowledge of the City, the schools and families is a significant benefit to school staff.

The team's specialist work is still delivered across all key stages in schools across Nottingham City and in neighbouring local authorities and to other agencies. All staff members continue to deliver a combination of commissioned work to all settings as well as work that is free at the point of delivery to maintained primary schools. All traded work, including physical intervention training, which is purchased by maintained schools is still billed at a discounted rate to maintained schools, saving schools between 10-20 % on the cost of all training and traded work (which averages out at £500 per maintained primary school).

There have been continued requests to support and work with looked after children; as well as deliver specialised packages to enable pupils, who are subject to Fair Access/Managed Move protocols, to successfully reintegrate into a new setting (which is commissioned by the LA). Every primary aged pupil supported by BST

through Fair Access has integrated well into their new setting, remained on roll and not been permanently excluded.

Primary schools continue to value early intervention and transition support. There are also ongoing requests for therapeutic work to support very vulnerable pupils. The team, furthermore, continues to work with schools to create bespoke packages to enable some very challenging pupils to be included within their school setting or maintain their school place. This work is delivered through de-delegated funding to those who meet the criteria; or through HLN, pupil premium funding or traded packages.

- 2.2 Since delegation of funding to academies was introduced the income raised through traded services has increased steadily year on year to complement the funding from maintained schools. The team continues to diversify and is working hard to establish itself on a commercial footing by offering training and support to other settings and agencies, including additional commissioning by the LA (e.g. Routes to Inclusion).

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 One option is to delegate funding directly to schools, so that all BST interventions are fully traded to maintained schools and no provision is made free of charge. The failure to de-delegate will lead to increased uncertainty that the team will be financially viable. The uncertainty regarding income may lead to a loss of experienced and knowledgeable staff and impact upon the team's sustainability and capacity to provide support to schools across the City.

A reduction in the capacity within BST would have the following consequences for schools and their pupils:

- increased risk of exclusion for vulnerable and challenging pupils – both fixed term and permanent;
- reduction in access to support, including RPI, from a team which has extensive knowledge and strong relationships with Nottingham City Schools;
- lack of BST strategic advice available regarding handling policies/risk assessments to reduce the risk of harm and limit the likelihood of litigation and claims from either staff or young people;
- insufficient capacity to deliver positive handling training and support schools with risk reduction techniques;
- lack of a preventative service available to schools to support the inclusion of pupils with challenging behaviour/SEMH to remain in school;
- potential increased risk of physical injury and safeguarding risks to both staff and pupils which could result in costly litigation through inappropriate handling;
- support for SEN processes will be reduced significantly;
- reduced effectiveness of early help planning due to a lack of support from BST;
- no City wide training around SEMH;
- reduction in support for the primary Fair Access/Managed Move processes. BST deliver bespoke packages to support named pupils to successfully reintegrate into other settings;
- no BST input (to represent schools) at JCNC or joint working with the HSE around violent incidents;

- reduction in team capacity to lead, develop and support city wide strategic initiatives such as Routes to Inclusion and the Exclusion Project - which aim to reduce exclusions, build capacity within schools, embed a graduated response etc. The expertise and skill set of the Behaviour Support Team is vital to the success of these initiatives and the overarching aim of maintaining placements and reducing expenditure on exclusions.

3.2 The team continues to explore and work towards a move to a fully traded service by developing processes for longer term commissioning arrangements. De-delegation of the maintained schools budget would provide an element of certainty for the team while the longer-term processes are finalised and become embedded.

This longer-term commissioning would:

- Support the recruitment and retention of skilled and experienced staff;
- Enable the team to develop additional capacity over time, if required;
- Provide an opportunity for commissioners and the team to review all aspects of service delivery to ensure that interventions offered continued to meet the future needs of schools.

3.3 Another option is to cease to deliver a centrally maintained Behaviour Support Team. Schools and other commissioners would then seek support from commercial services and look to develop provision within their own school/trust.

The risks of such an action are identified in 3.1 above.

The current demand from schools suggests that they value the central team: its expertise, the flexible response and the range of skills that can be deployed as required.

4 OUTCOMES/DELIVERABLES

4.1 Outcomes delivered 2017/18:

- 1,592 staff were trained in positive handling/RPI, an increase of 433 on the previous year.
- Increased preventative work – income from traded work and buy back has increased year on year as schools are looking at early intervention and therapeutic support.

Buy back figures (excluding pay-as-you-go/ad hoc work):

2015/16	2016/17	2017/18
£99,208	£125,908	£129,040

- Exclusion data:
 1. 186 pieces of casework were undertaken in 2017/18 around pupils deemed vulnerable to exclusion by their school (153 primary and 33 secondary).
 2. 6 (3.92%) of the primary pupils deemed vulnerable to exclusion were PX: however at the time of their permanent exclusion BST was only actively involved with 3 (1.92%) of them. All were PX for violence.

3. 4 of the secondary pupils deemed vulnerable to exclusion were PX: however BST was requested to work with the pupils at point of crisis - so BST involvement had only just started when the pupils were permanently excluded.
4. **Savings generated:** $186-6-4=176$ pupils not excluded
 $176 \times \text{£}15,000$ (cost of a PRU place) = **£2,640,000**.

- Casework data:

	2014/15	2015/16	2016/17	2017/18
FS/KS1	110	205	272	196 (68 M & 128 A)
KS2	78	172	187	413 (164 M & 249 A)
KS3/4	74	178	132	64 (6 M & 58 A)
TOTAL	262	555	591	673

- Under the former criteria - 107 pieces of casework undertaken with pupils in maintained primaries as 'core' (***work delivered free of charge to maintained primaries***) by the team as the pupils were deemed to be at increased risk of exclusion (average cost and saving to each maintained primary - £1,466). Under the new criteria for involvement – 173 hours of work has been delivered free of charge to maintained primaries from April-July 2018. As the new criteria and structure has only been running for 1 term, the data that can be provided to demonstrate impact is currently limited.
 Initial data for the 2018 Summer term: 143 hours of direct casework was undertaken and the CYP remained on their school role; 19.5 hours of strategic planning with SLT to strengthen SEMH provision; plus 10.5 hours of TAS (team around the school meetings).
- Safeguarding – 168 pupils that BST supported had either active social care involvement or TFS/PF. BST attended meetings and contributed to reports around these children/pupils.
- Immediate BST response (via phone consultation or RPI call out to school) to emergency health and safety risks at school – continues at an average of 1 per day
- EHCP process – BST attended PCRs and completed reports to support the EHCP process for 29 pupils across all key stages.
- Reducing financial risks and providing value for money:
 1. maintaining the pupil in school against the cost of a PRU place at £0.015m per pupil (17/18 saving = £2,640,000);
 2. the cost of a special school place at £0.020m-£0.025m per pupil;
 3. supporting the EHCP process at £0.006m per request.

4.2 In the academic year 2017/18 BST has directly worked in:

1. every City Primary School;
2. 14 of the 15 City Secondaries;
3. 7 of the 9 City Special Schools;
4. 1 free school in the City.

4.3 The income from traded work has increased year on year:

1. 2010/11 generated £0.032m

2. 2011/12 generated £0.050m
3. 2013/14 generated £0.098m
4. 2014/15 generated £0.171m (including £0.050m through positive handling training)
5. 2015/16 generated £0.260m (including £0.071m through positive handling training)
6. 2016/17 generated £0.252m (including £0.093m through positive handling training)
7. 2017/18 generated £0.270m (including £0.117m through positive handling training)

Table 1: Behaviour Support Team		
Forecast income and expenditure for the financial year 2019/20		
	£millions	£millions
Income		
Forecast DSG income from maintained schools	-0.223	
Income from schools	-0.110	
Income from RPI	-0.114	
Income from BST ad-hoc work	-0.046	
Total forecast income		-0.493
Less Expenditure		
Teachers	0.303	
Learning Mentors	0.144	
Admin	0.020	
Apprenticeship Levy	0.002	
Resources/Stationery	0.002	
Printing/Photocopying	0.002	
Training/Room Hire/RPI Licences	0.010	
Mileage/Staff Health	0.005	
Insurance	0.004	
IT/Phones	0.002	
Total forecast expenditure		0.493
Total Variance		0.000

5 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 5.1 As per “The national funding formula for schools and high needs 2019 to 2020 Policy document – July 2018” for the next two financial years (2019/20 and 2020/21) local authorities will continue to set their local funding formula to distribute their schools block funding, in consultation with schools and their School Forum.

Paragraph 5 & 6

“We are pleased to see the significant progress across the system in moving towards the national funding formula in its first year.

In light of this progress, and in order to continue to support a smooth transition, we are confirming that local authorities will continue to determine local formulae in 2020-21”

Local authorities will continue to be funded based on the new national funding formula. Included within this “soft approach” is the ability for local authorities to be able to still request approval from maintained primary and secondary school representatives on Schools Forum for de-delegated services.

- 5.2 Any decisions made to de-delegate in 2018 to 2019 related to that year only; new decisions will be required for any service to be de-delegated in 2019 to 2020 and 2020 to 2021 before the start of each financial year.
- 5.3 Based on the latest Department for Education indicator data and known academy conversions this proposal would result in maintained mainstream primary schools de-delegating £0.223m. As the remaining maintained secondary school is due to academise on 1 November 2018 and the fact that they have not previously bought into this service they have not been included in this report.
- 5.5 If the proposal outlined in recommendation 1 is not approved, as outlined in paragraph 7.1, there would be significant workforce implications. Any redundancy costs would be met by the Local Authority.

Due to consultation periods, there may be a risk to a full years saving in 2019/20 and as such a further report would be required to Schools Forum to approve the associated costs.

Julia Holmes
Senior Commercial Business Partner
27 September 2018

6 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

6.1 Legal Implications

6.1.1 The schools forum’s powers here derive from the School and Early Years Finance (England) Regulations 2018 (“SEYFR”), made by the Secretary of State in exercise of powers under the School Standards and Framework Act 1998 and the Education Act 2002. The SEYFR came into force on 5 February 2018.

6.1.2 Chapter 2 of Part 2 of the SEYFR is entitled “Further Deductions and Variations to Limits Authorised by School Forums or the

Secretary of State” and it contains regulation 12 of the SEYFR. Under regulation 12 of the SEYFR, on the application of a local authority the schools forum may authorise the redetermination of schools' budget shares by removal of any of the expenditure referred to in Part 6 (Items That May Be Removed From Maintained Schools' Budget Shares – Primary and Secondary Schools) of Schedule 2 [of the SEYFR] from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, under regulation 11(5) (SEYFR, regulation 12(1)(d)). Part 6 of Schedule 2 of the SEYFR contains paragraph 40, which states:-

Expenditure (other than expenditure referred to in Schedule 1 or any other paragraph of this Schedule) incurred on services relating to the education of children with behavioural difficulties, and on other activities for the purpose of avoiding the exclusion of pupils from schools.

- 6.1.3 Therefore, provided the proposals fall within the above legislation, Nottingham City Schools Forum has the power to approve the recommendations in this report. In addition, by virtue of regulation 8 of the Schools Forums (England) Regulations 2012 only the representatives of the maintained primary schools have a vote on this in respect of maintained primary schools and only the representatives of maintained secondary schools have a vote on this in respect of maintained secondary schools. Moreover, this power should be exercised lawfully. Provided the amounts sought through use of this power have been correctly and lawfully calculated, the exercise of this power will be lawful.

11/09/18 Jon Ludford-Thomas, Senior Solicitor

7 HR COLLEAGUE COMMENTS

- 7.1 ***As outlined in the content of this report, a decision not to continue funding arrangements is likely to lead to the team being disestablished within the structure. This would have significant workforce implications and also financial implications in terms of costs relating to redundancy situations. (Details would need to be presented in a separate Chief Officer and Departmental Management Report.)***

If the decision is to cease funding, management must ensure a plan is in place with appropriate timelines to undertake genuine and meaningful consultation with both Trade Unions and affected individuals. If at the end of consultation, proposals remain the same, individuals must be given appropriate contractual notice to terminate their contracts on grounds of redundancy. Potential exit payments, including redundancy and pension strain costs of any affected postholders would also need to be considered. Staff at risk of redundancy may have access to redeployment opportunities and therefore costs associated with pay protection may also be incurred.

8 EQUALITY IMPACT ASSESSMENT

8.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

Attached as Appendix x, and due regard will be given to any implications identified in it.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1

SCHOOLS FORUM 9 OCTOBER 2018

Title of paper:	De-delegation of 2019/20 Health and Safety Building inspection funding
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	Ken France, Contracts Manager, Building Services Tel: (0115) 87 65886 e-mail: kenneth.france@nottinghamcity.gov.uk
Other colleagues who have provided input:	Julia Holmes, Senior Commercial Business Partner, Finance Tel: (0115) 87 63733 e-mail: julia.holmes@nottinghamcity.gov.uk
Summary	
<p>The purpose of this report is to update Schools Forum on the statutory and legislative health and safety responsibilities of the Local Authority (LA) in relation to maintenance and testing of maintained school properties and how the funding requested to be de-delegated is used to support this.</p> <p>Last financial year maintained schools approved the use of the maintained schools and health and safety buildings maintenance reserve and to de-delegate funding for the financial years 2018/19 and 2019/20 to fund maintained schools health and safety tests and inspections for the next five financial years.</p> <p>This report provides an update on the schools and health and safety building maintenance budget and outlines two options for the funding of tests and inspections for the financial years 2019/20 to 2022/23 as the Department of Education have now confirmed in “The national funding formulae for schools and high needs 2019 to 2020 – July 2018” that local authorities will be able to set their budgets in 2020/21, an additional financial year, which means maintained schools can agree to de-delegate funding for an additional financial year than was originally anticipated.</p> <p>Noted below are the proposed options for the funding of schools and health and safety buildings tests and inspections for the financial years 2019/20 to 2022/23:</p> <ol style="list-style-type: none"> 1. De-delegate funding in 2019/20 to generate sufficient funds to cover the costs for the financial years 2019/20 to 2022/23 at a rate of £13.22 per pupil; <p>Or</p> <ol style="list-style-type: none"> 2. De-delegate funding in 2019/20 and 2020/21 at a rate of £6.61 to generate sufficient funds to cover the costs for the financial years 2019/20 to 2022/23. 	
Recommendation(s):	
1	To note the statutory and legislative health and safety responsibilities of the LA in relation to building maintenance of maintained primary and secondary schools and the type of costs that the requested funding will be used to fund, detailed in paragraph 1.2.

<p>2</p>	<p>For maintained mainstream primary schools to approve the de-delegation of Health and safety building inspection funding in 2019/20 based on a rate of £13.22 per pupil. Total estimated funding requested to be de-delegated for mainstream maintained primary schools is £0.147m.</p> <p>For the maintained mainstream secondary school to approve the de-delegation of Health and safety building inspection funding in 2019/20 based on a rate of £13.22 per pupil. Total estimated funding requested to be de-delegated for the mainstream maintained secondary schools is £0.017m.</p>
<p>3</p>	<p>If recommendation 2 is not approved, then maintained primary and secondary schools are requested to approve Option 2 as outlined in paragraph 1.6</p> <p>For maintained mainstream primary schools to approve the de-delegation of: Health and safety building inspection funding in 2019/20 and 2020/21 based on a rate of £6.61 per pupil.</p> <p>Total estimated funding requested to be de-delegated in 2019/20 for mainstream maintained primary schools is £0.074m.</p> <p>For the maintained mainstream secondary school to approve the de-delegation of: Health and safety building inspection funding in 2019/20 based on a rate of £6.61 per pupil. Total estimated funding requested to be de-delegated for the mainstream maintained secondary schools is £0.009m.</p> <p>As de-delegation requests can only be made on an annual basis agreement to the principle that maintained schools will approve in principle to de-delegate this funding in 2020/21 to ensure there are sufficient funds to cover the total estimated cost over the next four financial years.</p>

1. REASONS FOR RECOMMENDATIONS

1.1 The overall responsibility for health and safety lies with the employer. The Health and Safety Executive state that in England the Local Authority is the employer in community schools.

The Health and Safety at Work Etc. Act 1974 and subsequent legislation places a general duty on employers to ensure so far as is reasonably practicable the health, safety and welfare at work of all of their employees and non-employees.

To meet the statutory building health and safety responsibilities, Property Maintenance, situated within Building Services at the LA ensure that the Statutory and Legislative maintenance and testing regimes are undertaken within Nottingham City Council's portfolio of properties, which includes maintained schools, to ensure that all property health and safety issues are identified.

1.2 The funding requested to be de-delegated in this report in 2018/19 is to be used by:

- Property Maintenance to fund the tests and inspections in maintained primary and secondary schools. These tests and inspections include, but are not restricted to:
 - Air Conditioning Units
 - Asbestos surveys
 - Automatic doors and gates
 - Boilers

- Electrical circuit testing
- Emergency lighting
- Fire alarms
- Heat pumps
- Legionella risk assessments
- Lifts
- Lightning protection
- Pressure sets
- Stage lighting

1.3 Approval of the de-delegation of Health and Safety inspections is required for maintained mainstream school sites to enable the LA to deliver its statutory obligation regarding the health and safety of these sites.

1.4 Approvals for de-delegations are annual regardless of the statutory nature.

1.5 Schools Forum on 7 December 2017 agreed to de-delegate funding for the financial years 2018/19 and 2019/20 as well as use the schools health and safety buildings maintenance reserve to fund the cost of tests and inspections for the period 2018/19 to 2022/23 (five years).

However, due to the year-end underspend in 2017/18 being less than anticipated due to actual costs for asbestos surveys, electrical circuit testing and legionella risk assessments being more than originally estimated and the projected costs increasing for the financial years 2019/20 to 2022/23 there is a requirement to increase the rate per pupil to cover the projected costs to 2022/23. The LA is proposing two options for maintained primary and secondary schools to decide upon which option they would prefer to fund the projected costs:

- 1 Both maintained primary and secondary schools de-delegate funding in just the financial year 2019/20 as agreed on 7 December 2017 and this would be at a rate of £13.22 per pupil,
or
- 2 Both maintained primary and secondary schools de-delegate funding in just the financial year 2019/20 and the financial year 2020/21 as a further year has been given to de-delegate funding and this would be at a rate of £6.61 per pupil,

Note if maintained primary and secondary schools approve option 2 a report would still need to be brought to Schools Forum for 2020/21 to get Schools Forum's approval to de-delegate the funding as the operational guidance states that approval must be sought each financial year.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 In order to achieve a competent level of functionality the LA will consider the relevant legislation and documentation, which may include:

- Statutory legislation and regulation
- Industry regulation
- Approved Codes of Practice
- Guidance documentation
- Equipment manufacturer's instructions and recommendations
- Best practice

statement & Testing Procedures (October 2013 v 1.2b)”. This document confirms Nottingham City Council’s responsibilities and intentions as Corporate Landlord in relation to tests and inspections carried out in Nottingham City properties, in line with corporate policies. The aim of the document is to give support and advice and ensure clarifications of property related health and safety responsibilities are understood. This document can be found in the Schools Safety Manual.

Property Maintenance Team have put in place a timetable for tests and inspections, which reflect a combination of statutory guidance and appropriate practice. The LA uses internal and external contractors to carry out the tests and inspections. The timetable for tests and inspections, undertaken in-house or by contractors, range from daily to up to every five years dependent on the particular test or inspection.

- 2.2 Note that the funding does not include the Property Maintenance advisory service on such remedial matters; this service is available via an Education Services Nottingham contract.
- 2.3 Where tests and inspections are required as part of a health and safety management system, such as asbestos, legionella or fire safety, separate policies relating to these items are included in the appendices B, C and D of the “Statutory Testing & Inspection of Fixed Installations in Nottingham City Council Properties – Policy statement & Testing Procedures (October 2013 v 1.2b)”.
- 2.4 Approval to de-delegate the schools health and safety building inspection budget has been given by both the primary and secondary phases representatives of Schools Forum each financial year since 2013/14. Any unspent balance at the end of the financial year is transferred to a Health and Safety Building Maintenance Reserve. In reverse any in year overspend would be drawn down from the Health and Safety Building Maintenance Reserve. As at the 31 March 2018 the balance on the Health and Safety Building Maintenance Reserve was £0.229m.

Table 1 shows the budget and expenditure on the schools health and safety building maintenance in the last three years since the funding was first de-delegated.

Table 1: Breakdown of Schools Health and Safety Building Maintenance				
Year	Budget £m	Outturn £m	Variance £m	Explanation
2013/14	0.273	0.231	0.042	The year-end under-spend was transferred to the Health and Safety Building Maintenance Reserve
2014/15	0.253	0.174	0.079	
2015/16	0.208	0.174	0.034	
2016/17	0.199	0.177	0.022	
2017/18	0.197	0.145	0.052	
TOTAL			0.229	

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 If the health and safety inspections were undertaken by the school (i.e. the LA

does not organise them on the schools' behalf) then according to health and safety legislation the LA would still retain the overall responsibility that they are undertaken. Therefore the LA would need to monitor the schools to ensure that they are taking place. In the event that they do not take place in a timely fashion to the relevant standard, the LA has the legal responsibility to instruct the school to act and/or undertake the inspection and tests automatically and recharge the school. The LA may choose to add officer time to this recharge.

4. OUTCOMES/DELIVERABLES

- 4.1. To de-delegate this funding will enable the LA to fulfil its statutory duties in relation to Health and Safety on maintained mainstream school sites.
- 4.2. Schools will receive an annual report in April/May including the schedule of tests for the academic year and names of the contractors who the LA have commissioned.

5. FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 5.1 As per "The national funding formula for schools and high needs 2019 to 2020 Policy document – July 2018" for the next two financial years (2019/20 and 2020/21) local authorities will continue to set their local funding formula to distribute their schools block funding, in consultation with schools and their School Forum.

Paragraph 5 & 6

"We are pleased to see the significant progress across the system in moving towards the national funding formula in its first year.

In light of this progress, and in order to continue to support a smooth transition, we are confirming that local authorities will continue to determine local formulae in 2020-21"

Local authorities will continue to be funded based on the new national funding formula. Included within this "soft approach" is the ability for local authorities to be able to still request approval from maintained primary and secondary school representatives on Schools Forum for de-delegated services.

- 5.2 Any decisions made to de-delegate in 2018 to 2019 related to that year only; new decisions will be required for any service to be de-delegated in 2019 to 2020 and 2020 to 2021 before the start of each financial year.
- 5.3 The current balance of the schools health and safety building maintenance reserve is £0.229m as stated 2.5.

If maintained primary and secondary schools adopt **Option 1** to fund the cost of tests and inspections for the financial years 2019/20 to 2022/13 the rate per pupil would increase to £13.22 per pupil in the financial year 2019/20 only.

If maintained primary and secondary schools adopt **Option 2** to fund the cost of tests and inspections for the financial years 2019/20 to 2022/13 the rate per pupil would decrease to £6.61 per pupil in the financial years 2019/20 and 2020/21.

See **Appendix A** for a breakdown of how the forecast income and expenditure and the calculation of the rates per pupil. **Appendix B** shows a detailed breakdown by school by activity. Building Services will provide a full financial breakdown for

individual schools upon request.

Some of the contracts are due to be renewed for the financial years 2021/22 and 2022/23 therefore to be prudent a contingency has been included and is based on 7% of the forecast costs for 2021/22 and 2022/23.

- 5.4 It is a statutory requirement to minimize risks and to be financially prudent, the Health and safety building reserve is set aside to mitigate any risks.

28 September 2018

Julia Holmes

Senior Commercial Business Partner

6 **LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)**

6.1 **Legal Implications**

6.2 Primary responsibility for health and safety in relation to community schools and community special schools rests with the local authority that maintains those community schools and community special schools since it owns the land and buildings of the community schools and community special schools, and employs the staff of those schools. However, it should be noted that the governing bodies of community schools and community special schools have health and safety responsibilities arising from their control and use of the school premises and their management of the school staff.

6.3 The Schools Forum's powers here derive from the School and Early Years Finance (England) Regulations 2017 ("SEYFR"), made by the Secretary of State in exercise of powers under the School Standards and Framework Act 1998 and the Education Act 2002. The SEYFR came into force on 16 February 2017.

6.4 Chapter 2 of Part 2 of the SEYFR is entitled "Further Deductions and Variations to Limits Authorised by School Forums or the Secretary of State" and it contains regulation 12 of the SEYFR. Under regulation 12 of the SEYFR, on the application of a local authority the Schools Forum may authorise *the redetermination of schools' budget shares by removal of any of the expenditure referred to in Part 6 (Items That May Be Removed From Maintained Schools' Budget Shares – Primary Schools and Secondary Schools) of Schedule 2 [to the SEYFR] from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, under regulation 11(5) (SEYFR, regulation 12(1)(d)).* Part 6 of Schedule 2 to the SEYFR contains paragraph 45, which states:

Expenditure on insurance in respect of liability arising in connection with schools and schools premises.

6.5 Part 6 of Schedule 2 to the SEYFR contains paragraph 49, which states:-

Expenditure on the schools' specific contingency.

6.6 Therefore, provided the proposals fall within the above legislation, Nottingham City Schools Forum has the power to approve the recommendations in this report. In addition, by virtue of regulation 8 of the Schools Forums (England) Regulations 2012 only the representatives of the maintained primary schools and the maintained secondary schools have a vote on this in respect of maintained primary schools and maintained secondary schools respectively. Moreover, this power should be exercised lawfully. Provided the amounts sought through use of this power have been correctly and lawfully calculated, the exercise of this power will be lawful.

7 **HR ISSUES**

7.1 There are no people implications arising from this report.

8 **EQUALITY IMPACT ASSESSMENT**

Has the equality impact been assessed?

Not needed (report does not contain proposals or financial decisions)

No

Yes – Equality Impact Assessment attached

Due regard should be given to the equality implications identified in the EIA.

9 **LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION**

9.1 None

10 **PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT**

Nottingham City Council Policies:

- Statutory Testing & Inspection of Fixed Installations in Nottingham City Council Properties – Policy statement & Testing Procedures (October 2013 v 1.2b)

Legislation:

- The School and Early Years Finance (England) Regulations 2017
- The Health and Safety at Work etc. Act 1974 and associated legislation.

APPENDIX A – EQUALITY IMPACT ASSESSMENT

Name and brief description of proposal / policy / service being assessed

The purpose of this report is to ask Schools Forum representatives of maintained primary and maintained secondary schools to approve the de-delegation of the Building Maintenance funding in 2018/19

Information used to analyse the effects on equality

	Could particularly benefit (X)	May adversely impact (X)	How different groups could be affected: Summary of impacts	Details of actions to reduce negative or increase positive impact (or why action not possible)
People from different ethnic groups	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Local Authority (LA) has a statutory duty regarding Health and Safety of maintained school sites. To ensure that the LA is able to carry out its statutory duty it has to on an annual basis request Schools Forum to approve the de-delegation of this funding.</p> <p>As the costs incurred by each school annually in relation to health and safety vary, this funding will be used to cover “peaks” and “troughs “ associated with the maintenance of maintained school sites. Any unspent balances at the end of the financial year will added back into the a sinking fund which has been set up to manage the peaks and troughs of expenditure. Likewise if there is an overspend the funding will be drawn down from the sinking fund.</p> <p>By implementing this proposal it will stop the likelihood of schools incurring budget pressures caused by having to fund health and safety maintenance costs in relation to their sites. If</p>	<p>The LA are recommending this proposal to reduce the likelihood of a negative impact on the pupils of maintained primary and secondary schools.</p>
Men, women (including maternity/pregnancy impact), transgender people	<input type="checkbox"/>	<input type="checkbox"/>		
Disabled people or carers	<input type="checkbox"/>	<input type="checkbox"/>		
People from different faith groups	<input type="checkbox"/>	<input type="checkbox"/>		
Lesbian, gay or bisexual people	<input type="checkbox"/>	<input type="checkbox"/>		
Older or younger people	<input type="checkbox"/>	<input type="checkbox"/>		
Other (e.g. marriage/civil partnership, looked after children, cohesion/good relations, vulnerable children/adults)	<input type="checkbox"/>	<input type="checkbox"/>		

schools had to fund this and the costs were higher than they had budgeted it may require them to move resources from the education of their pupils to cover health and safety maintenance costs of the site.

By retaining this funding centrally it will enable a consistent approach as to how money is spent pupils by resources not being taken away from the education of pupils in some schools and not in others.

There are no staffing issues generated by this decision.

Outcome(s) of equality impact assessment:

No major change needed X

Adjust the policy/proposal

Adverse impact but continue

Stop and remove the policy/proposal

Arrangements for future monitoring of equality impact of this proposal / policy / service:

If this proposal is approved then no equality impact monitoring will need to be undertaken. However, if the proposal is not approved and the budget is delegated to maintained schools then the schools would be responsible and the LA would have no influence over the equality impact.

Approved by: David Thompson Schools H&S Manager

Date sent to equality team for publishing:

Schools health and safety tests and inspections**Original proposal approved 7 December 2017**

2018/19 De-delegation request	£
Current reserve balance	177,000
Plus forecast underspend in 2017/18	80,000
Less Forecast Total cost for the 5 years	-500,000
Shortfall in funding	-243,000
Amount required to be de-delegated each year	-121,500
Rate required for 2018/19 and 2019/20 (based on October 2016 pupil numbers)	-£9.79

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Revised proposal

2019/20 De-delegation request	£
BMD reserve balance at end of 2017/18	228,554
Projected underspend 2018/19	26,134
Less total cost for next 4 years	-404,434
Contingency (7% of projected cost in 2021/22 and 2022/23)	-14,700
Shortfall in funding	-164,446
Amount required to be de-delegated each year	-82,223
Option 1 - Rate required for 2019/20 (based on October 2017 pupil numbers)	-£13.22
Option 2 - Rate required for 2019/20 and 2020/21 (based on October 2017 pupil numbers)	-£6.61

Option 1 - Primary cost 2019/20	147,178
Secondary cost 2019/20	17,318
Option 2 - Primary cost 2019/20 and 2020/21	73,589
Secondary cost 2019/20 and 2020/21	8,659

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SCHOOLS FORUM - 9 October 2018

Title of paper:	Schools Block Transfer Proposals 2019/20
Director(s)/ Corporate Director(s):	John Dexter, Director of Education Alison Michalska, Corporate Director
Report author(s) and contact details:	Kathryn Stevenson, Senior Commercial Business Partner (Schools)
Other colleagues who have provided input:	Nick Lee, Director of Education Services
Summary	
<p>This paper requests approval for schools block transfer proposals for 2019/20 and asks Schools Forum to agree an application to the Secretary of State to enable the block transfer to be implemented in the proposed way. The proposals have been amended in the light of the outcome of the consultation with all City schools and the announcement by the government of a one-year delay in the implementation of the full national funding formula.</p>	
Recommendation(s):	
1	Agree the Local Authority's application to the Secretary of State to set a lower minimum funding guarantee % for secondary schools compared to primary schools in 2019/20.
2	Approve a schools block transfer for 2019/20 of 0.5%, subject to the Local Authority (LA) receiving the permission from the Secretary of State for a differential MFG% for secondary schools.
3	Note that the LA does not intend to pursue a schools block transfer for 2019/20 affecting all schools if this permission is denied.
4	Note that the reduction in the schools block transfer proposals compared to the consultation proposals means that the LA may need to seek a further block transfer in 2020/21.

1 REASONS FOR RECOMMENDATIONS

- 1.1 Our original consultation proposals assumed that 2019/20 would be the only year we would have the opportunity to make a schools block transfer, with full implementation of the "hard" national funding formula (NFF) being due the following year. During our consultation period, the government announced the postponement of the full NFF by one year to 2021/22 meaning we are likely to have a further opportunity for a schools block transfer in 2020/21 if needed. As a result, we have reduced the proposed block transfer % for 2019/20 to the 0.5% limit that can be agreed locally by Schools Forum.
- 1.2 The need for a schools block transfer is driven by the high rate of permanent exclusions predominantly in the secondary phase and the significant shortfall that we have had in the high needs budget since 2015/16 as a result. There was very limited support from schools responding to the consultation for our back up plan to implement the block transfer across all schools if we were unable to limit the impact

to secondary schools. Therefore, the LA does not intend to pursue a block transfer for 2019/20 if the Secretary of State refuses permission for us to set a differential MFG for secondary schools. However, this may need to be reconsidered for 2020/21, depending on the level of permanent exclusions in the current academic year from schools not participating in the devolved AP model.

2 **BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)**

- 2.1 We consulted all City schools on our School Block Transfer Proposals between 17 July and 19 September 2018. The consultation was publicised several times on SCENE and via direct e-mail to head teachers. A consultation briefing event held on 6 September was attended by a small number of head teachers. Schools Forum members urged colleagues to respond.
- 2.2 Twenty-three schools responded; sixteen primary schools and seven secondary schools. The seven secondary schools covered four academy trusts. **Table 1** shows an analysis of responses. Some schools did not respond to every question meaning total yes/no responses do not always add up to 100%.

Response	Yes			No		
	Prim.	Sec.	Total	Prim.	Sec.	Total
1. Do you support the principle of the LA seeking a schools block transfer in 2019/20 for the reasons outlined in section 3 of the consultation document?	8 (50%)	1 (14%)	9 (39%)	6 (38%)	6 (86%)	12 (52%)
2. Do you agree that it is fair for the LA to seek to limit the impact of this to the secondary phase and therefore support a request to the Secretary of State to enable us to treat primary and secondary schools differently?	13 (81%)	1 (14%)	14 (61%)	1 (6%)	6 (86%)	7 (30%)
3. Do you agree that the LA should seek to differentiate through these proposals between secondary schools that have or have not signed up to the devolved AP funding model?	11 (69%)	3 (43%)	14 (61%)	2 (13%)	3 (43%)	5 (22%)
4. Do you support Proposal A as outlined in section 4.1 of the consultation document?	13 (81%)	1 (14%)	14 (61%)	1 (6%)	6 (86%)	7 (30%)
5. In the event that we are refused permission by the Secretary of State to treat secondary schools differently to primary schools, would you be prepared to support Proposal B affecting all mainstream schools as outlined in section 4.2 of the consultation document?	2 (12.5%)	-	2 (9%)	14 (87.5%)	6 (86%)	20 (87%)

- 2.3 An overall majority (61%) of schools responding were prepared to support our recommended consultation proposal (Proposal A). This involved cutting funding per pupil in the secondary phase by up to 1.5% per pupil in 2019/20 with a 35% reimbursement through additional devolved AP funding for secondary schools

signed up to the model. However, only 1 secondary school was prepared to support this.

- 2.4 Of the 6 secondary schools that disagreed with the proposal, 2 were schools in an academy trust participating in the devolved AP model and 4 were from schools across 2 academy trusts that are not participating. Schools participating in the devolved AP model commented that the impact was too great and the reimbursement too little and it was unfair that schools that have committed not to make excessive permanent exclusions should have their budgets affected in this way. Responding schools that have not signed up to the devolved AP model commented that it was the LA's statutory responsibility to provide for the education of excluded pupils and it was unfair to pass this burden back to schools, suggesting instead that alternative funding sources be sought or the reserves used.
- 2.5 Alternative provision for permanently excluded pupils, whilst an LA statutory responsibility, is funded by central government via the high needs block. The LA does not have other available funding sources that can be directed to this. Nationally 10% of the high needs block is deemed to be for alternative provision, with 90% for SEN. In 2018/19, we are forecasting to spend around 19.5% of our high needs budget on provision at Denewood/Unity PRU and devolved AP allocations. Once the £2.850m planned spend from reserves is excluded the percentage reduces to 12.4%. In the longer term, when we can no longer rely on reserves, it is funding available for SEN provision and support that will be impacted.
- 2.6 Under the transitional arrangements for the NFF, our 2018/19 high needs allocation was capped £8.9m lower than our pure HN NFF allocation, due to the 3% cap on gains. Conversely, schools are receiving £10m more than their pure schools NFF allocations in the form of minimum funding guarantee adjustments, of which £4m related to secondary schools. The schools block transfer would therefore take us in the direction that the NFF suggests, but temporarily as a block transfer can only be agreed for one-year at a time.
- 2.7 In the light of the consultation responses and the likely opportunity for a further schools block transfer in 2020/21, the LA is now making a revised proposal. This reduces the impact on secondary schools in 2019/20 and potentially spreads the burden over two financial years. The LA will continue to promote the devolved AP model. The extent that we need to seek to retain the funding transferred for a second year in 2020/21 will be re-evaluated next summer in the light of the number of permanent exclusions in the current academic year.

2.8 **Revised Proposal**

A 0.5% block transfer, implemented by reducing the minimum funding guarantee % for secondary schools with a 35% reimbursement of the impact from the high needs block for schools participating in the devolved AP model.

This revised proposal follows the same principles as Consultation Proposal A, but it is for a lower transfer. The consultation proposals assumed a 1.5% cut in funding per pupil in secondary schools, whereas it is estimated that the revised proposal will equate to a 0.75% reduction.

- 2.9 The revised proposal no longer requires Secretary of State approval for a greater than 0.5% block transfer, however we are still reliant on permission to set a differential MFG% for secondary schools.
- 2.10 Only two schools responding to the consultation were prepared to support a block transfer affecting all City mainstream schools should a differential MFG not be allowed. Most primary schools responding felt it was unfair for primary schools to be penalised and that this would be counter-productive affecting primary schools' ability to be inclusive.
- 2.11 In the light of the consultation responses and the likely opportunity for a further schools block transfer in 2020/21, the **LA is now withdrawing the fall back Proposal B for 2019/20**. This may need to be reconsidered for 2020/21 depending on the outcome of the differential MFG request.
- 2.12 Whilst we wish to set a MFG for both phases within the nationally permitted range of -1.5% to +0.5%, the regulations (and the APT spreadsheet that we have to use to submit school budget calculations to the ESFA) are based on the LA setting a single MFG % applicable to all pupils. Therefore, we need to make a disapplication request.
- 2.13 DfE operational guidance states in paragraph 80 that "Local authorities are requested to submit any applications to disapply the MFG for 2019 to 2020 using the disapplication proforma by 28 September 2018. We will then be able to get decisions back to local authorities before the APT is issued in December. Any later requests must be submitted before 20 November 2018 in order for them to be considered in order to meet the APT deadline."
- 2.14 In order to hit the earlier window and ensure we get a timely response to our request and a workable APT spreadsheet issued to us in December we have submitted the disapplication pro-forma to the 28 September deadline. This pro-forma allows for circumstances where the request hasn't yet been to schools forum, as it asks for the date when this will be discussed. We will need to provide follow up information to advise the DfE on whether schools forum has agreed the request and provide a link to the minutes of this meeting once published.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Proceeding with the original consultation proposals, but this would not reflect the concerns expressed by those schools that responded.
- 3.2 Doing nothing, but this places future SEN provision at risk due to the unsustainability of relying on reserves when these are being fast depleted.

4 OUTCOMES/DELIVERABLES

- 4.1 A £0.8m reduction in the high needs budget shortfall for 2019/20.

5 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 5.1 The original consultation proposals were designed to cover the potential cost of permanent exclusions over and above the level assumed in the devolved AP model

for 2018/19 and 2019/20. This was forecast at the time of the consultation launch at £1.3m; £0.3m in 2018/19 and £1.0m in 2019/20.

- 5.2 It is anticipated that the 0.5% schools block transfer will equate to just over £1m. However, the proposed 35% reimbursement to secondary schools participating in the AP devolved model will be around £0.2m. This means that the revised proposals will generate approximately £0.8m to support the excess costs of exclusions.
- 5.3 Modelling based on 2018/19 data indicates that a 0.5% block transfer implemented through a reduction in funding for secondary pupils will equate to about a -0.75% cut in funding per secondary pupil. On average this amounts to a £42 per pupil reduction. Without a schools block transfer, secondary schools could otherwise expect a funding increase in 2019/20 of around 0.5%. Taking this into account, the full impact is on average £71 per pupil. However, schools participating in the devolved AP model will have this mitigated by 35% through additional devolved AP payments in 2019/20.
- 5.4 Latest projections as at the end of September 2018 suggest that £1.247m could be needed to support the costs over exclusions over and above the level allowed for under the devolved AP model. This is £0.099m for 2018/19 and £1.148m for 2019/20. In 2018/19, costs of provision for excluded pupils are forecast to be £0.827m over budget but this is offset by a reduction in devolved AP payments relating to schools not signed up of £0.728m. Projections are based on exclusions for non-participating schools mirroring those for the last 12 months.
- 5.5 In 2018/19, a total of £6.837m is budgeted for the costs of pupils at Denewood/Unity PRUs and devolved AP payments. This is being funded £3.978m from the 2018/19 high needs block allocation and £2.859m from DSG reserves.
- 5.6 In 2019/20, the latest projected PRU/devolved AP costs are £6.135m. This will need to be funded as shown in Table 2:

Table 2: Breakdown of 2019/20 funding requirements £m	
3.978	From in-year HN allocation as 2018/19
0.300	Planned from 2019/20 HN increase
0.709	Ring-fenced in DSG reserve as per 2017/18 Outturn Report
0.800	Schools block transfer as per revised proposals
0.348	Possible shortfall
6.135	Total forecast requirement

As shown in the table above there may be a £0.348m funding shortfall in 2019/20 as a result of the revised proposals, unless permanent exclusions continue to fall. There may be capacity to increase the budget from DSG growth beyond the £0.300m assumed on finalisation of the budget once the 2019/20 HN allocation is confirmed in December. If this is not feasible, or if exclusions are higher than anticipated, then the funding shortfall will need to be recovered through a further schools block transfer request in 2020/21.

- 5.7 If the Secretary of State does not give permission for setting a differential MFG for secondary schools in 2019/20, there will be a further £0.800m shortfall in the high needs budget for 2019/20. In these circumstances, the LA will need to reconsider a schools block transfer affecting all schools for 2020/21.

Kathryn Stevenson, Senior Commercial Business Partner, 28 September 2018

6 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 6.1 The approach recommended in this report complies with any requirements of the School and Early Years Finance (England) Regulations 2018 and related operational guidance.

Sarah Molyneux, Head of Legal & Governance, 28 September 2018

7 HR COLLEAGUE COMMENTS

- 7.1 It is noted that the recommended approach complies with legal requirements of the Schools and Early Years Finance (England) Regulations 2018. It is also noted that it will mean an overall reduction in funding per pupil in the financial year 2019/20. Schools that are impacted will need to carefully consider any potential impact on employees and if any determination is made for potential reductions or to make changes to staffing contractual and non-contractual working arrangements, it is strongly recommended that schools take their own individual HR expert advice, and adhere to the schools/organisations agreed workforce policies and procedures to implement the changes, including formal consultation with the relevant trade unions.

Lynn Robinson, HR Business Lead (Children & Adults)

1 October 2018

Email: lynn.robinson@nottinghamcity.gov.uk

Tel: 0115 8763606

8 EQUALITY IMPACT ASSESSMENT

- 8.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:

(Please explain why an EIA is not necessary)

Yes

X

Attached as Appendix 1, and due regard will be given to any implications identified in it.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

- 9.1

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 ESFA Schools Revenue Funding 2019 to 2020 Operational Guide – July 2018

10.2 “Consultation with all City Schools – Schools Block Transfer 2019/20” published at <http://www.nottinghamschools.org.uk/business-management-support/schools-funding/consultations/>

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Equality Impact Assessment Form

[screentip-sectionA](#)

1. Document Control

1. Control Details

Title:	Schools Block Transfer Proposals 2019/20
Author (assigned to Pentana):	Kathryn Stevenson
Director:	Nicholas Lee
Department:	Children & Adults
Service Area:	Education
Contact details:	Kathryn.stevenson@nottinghamcity.gov.uk 0115 87 63731
Strategic Budget EIA: Y/N	Y
Exempt from publication Y/N	N

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2. Document Amendment Record

Version	Author	Date	Approved

3. Contributors/Reviewers

Name	Position	Date
Ceri Walters	Head of Commercial Finance	27/09/18
Adisa Djan	Equality Lead	01/10/18

4. Glossary of Terms

Term	Description
Schools Block	Local Authority funding for schools in the form of the Dedicated Schools Grant (DSG) is provided in 4 blocks based on national funding formulae. One of these blocks is the “Schools Block”. This funds delegated budgets for schools.
High Needs Budget	A second block of the DSG is the high needs block. This forms the high needs budget which funds provision and support services for pupils with Special Educational Needs and those in Alternative Provision settings.

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[screentip-sectionB](#)

2. Assessment

1. Brief description of proposal / policy / service being assessed

This relates to a proposal to retain 0.5% of schools block funding in 2019/20 and move this to the high needs budget. This will involve secondary schools receiving lower funding in 2019/20 than they would otherwise expect by on average £71 per pupil. In total around £1m will be transferred from the schools block to the high needs budget. This is to help cover additional costs of provision for permanently excluded pupils.

[screentip-sectionC](#)

2. Information used to analyse the effects on equality:

Nationally, 10% of the high needs budget is notionally for Alternative Provision (AP) and 90% for Special Educational Needs (SEN). In

Nottingham City, we have had a shortfall in our high needs budget in excess of £1.6m per year since 2015/16 which has been funded by reserves. This is due to a rise in the rate of permanent exclusions, predominantly in the secondary phase. Pupils on roll at our behaviour Pupil Referral Units doubled between 2014 and 2017. This represents a marked transfer of responsibility for children with high needs from mainstream schools to the Local Authority's high needs budget. We are currently having to spend over 12% of our in-year high needs allocation on AP, but if the additional funding being drawn from reserves is included this rises to 19%. This demonstrates that our AP costs will take a disproportionate amount of our high needs budget once we are no longer able to rely on reserves, reducing the funding available for SEN pupils and putting their future levels of provision at risk as the Local Authority (LA) will have to take measures across high needs provision to set a balanced budget. There are limited reserves left and this proposal will help us to retain those. As such, this proposal helps protect equality of opportunity for some of our most vulnerable children and young people with special educational needs and disability. All City schools were consulted on these proposals between 17 July and 19 September 2018.

3. Impacts and Actions:

screentip-sectionD	Could particularly benefit X	May adversely impact X
People from different ethnic groups.	<input type="checkbox"/>	<input type="checkbox"/>
Men	<input type="checkbox"/>	<input type="checkbox"/>
Women	<input type="checkbox"/>	<input type="checkbox"/>
Trans	<input type="checkbox"/>	<input type="checkbox"/>
<u>Disabled people</u> or carers.	X	<input type="checkbox"/>
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input type="checkbox"/>
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input type="checkbox"/>
Older	<input type="checkbox"/>	<input type="checkbox"/>
Younger	X	X
Other (e.g. marriage/ civil partnership, looked after children, cohesion/ good relations, <u>vulnerable children/ adults</u>).	X	<input type="checkbox"/>

Please underline the group(s) /issue more adversely affected or which benefits.

screeentip-sectionE

How different groups could be affected
(Summary of impacts)

This proposal may help encourage a reduction in the number of permanent exclusions in the City. In Nottingham, as is the case nationally, a disproportionate number of young people excluded from school have SEN.

This proposal will help safeguard levels of provision and support for pupils with SEN and disability.

This proposal reduces the funding available in secondary schools in 2019/20 for the overall pupil population by £71 per pupil on average.

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screeentip-sectionF

Details of actions to reduce negative or increase positive impact
(or why action isn't possible)

Continuing to seek Citywide adoption of a devolved AP funding model, which provides resources for schools to support earlier intervention for pupils at risk of exclusion.

The LA has been leading a number of initiatives to help schools reduce exclusions e.g. exclusions/behaviour taskforce, routes to inclusion.

Exclusion data will be monitored regarding the number, ethnicity, gender, SEN status and age group of pupils being excluded and the type and length of exclusions. The impact of this proposal will be reviewed in September 2019.

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4. Outcome(s) of equality impact assessment:

<input checked="" type="checkbox"/>	No major change needed	<input type="checkbox"/>	Adjust the policy/proposal
<input type="checkbox"/>	Adverse impact but continue	<input type="checkbox"/>	Stop and remove the policy/proposal

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5. Arrangements for future monitoring of equality impact of this proposal / policy / service:

This assessment will be reviewed in a year's time to determine the impact. This will be based on data relating to the number of exclusions broken down by type and length and the gender, age group, SEN status and ethnicity of pupils excluded.

6. Approved by (manager signature) and Date sent to equality team for publishing:

<p>Approving Manager: Ceri Walters, Head of Commercial Finance Ceri.walters@nottinghamcity.gov.uk 0115 87 64128</p>	<p>Date sent for scrutiny: 27/09/18 Send document or Link to: equalityanddiversityteam@nottinghamcity.gov.uk</p>
<p>SRO Approval: 27/09/18</p>	<p>Date of final approval: 01/10/18 A Djan</p>

Before you send your EIA to the Equality and Community Relations Team for scrutiny, have you:

1. Read the guidance and good practice EIA's
<http://intranet.nottinghamcity.gov.uk/media/1924/simple-guide-to-eia.doc>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user-friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly, when this is going to happen.
7. Clearly cross-referenced your impacts with SMART actions.

the change?

Use the information gathered through consultation to draft the Service plan or policy options

Pull together your draft document

Send your draft document to the ECR team for consideration

emails@address.co.uk

Team will grade (RAG rating) initial EIA and return for any necessary alterations.

The Team will support you with revisions until the EIA is passed as Green.

EIA will be published by ECR team if EIA is not part of a DDM?

If EIA part of DDM, ECR will add comments once final EIA has been agreed.

KEY

EIA— Equality Impact Assessment

ECR— Equality & Community Relations Team

DDM—Delegated Decision Making

SCHOOLS FORUM – 9 OCTOBER 2018

Title of paper:	Early Years Central Expenditure 2019/20
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	Kathryn Bouchlaghem, Early Years Service Manager
Other colleagues who have provided input:	Kathryn Stevenson, Senior Commercial Business Partner (Schools)
Summary	
New national Early Years (EY) funding arrangements were implemented from April 2017 including a new national formula for allocating the EY block to Local Authorities and new regulations around the distribution of funding to providers.	
This paper requests approval of the Early Years central expenditure budget for 2019/20.	
Recommendation(s): For Schools Forum to;	
1	Approve Early Years Central Expenditure of £0.954m for 2019/20, subject to this meeting the high pass-through requirement.

1 REASONS FOR RECOMMENDATIONS

- 1.1 The revised national arrangements from April 2017 introduced new regulations around the proportion of EY funding that can be retained for central spend. This was in order to ensure a high pass-through of funding to providers (93% in 2017/18 and **95% from 2018/19 onwards**). The proposed EY central expenditure figure represents 5% of the anticipated indicative 2019/20 Early Years Block allocation and should therefore be in line with the high pass-through requirement. Approval is subject to compliance with this regulation when the 2019/20 schools budget is finalised.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 To meet the regulations the proposed £0.954m figure for central expenditure in 2019/20 is slightly lower than the £0.961m approved in 2018/19.
- 2.2 The funding will enable the Early Years Team to carry out the following Local Authority duties under the Childcare Act 2006/Education Act 2014/Children and Families Act 2014:
- Early Years Foundation Stage Profile (EYFSP) moderation (year round process) – city-wide overview of the Private Voluntary and Independent sector (non-maintained) and schools (maintained and academies – GLD has increased and the gap with national decreasing - see current position below)
 - Secure sufficient childcare for working parents - this underpins economic growth and stability for employment in Nottingham City
 - Secure early years funding free of charge (2, 3 and 4 year olds)
 - Moderation of F1 across the sectors with a focus on Communication and Language
 - Contribute to the Early Years SEND Inclusion Fund

OVERVIEW OF CURRENT POSITION - KEY POINTS

❖ Early Years Foundation Stage Profile Data 2018 (Initial analysis)

Target for 2018: to close the gap between Nottingham City and National						
	Good Level of Development					
	2013	2014	2015	2016	2017	2018
Nottingham City	40%	47% (+7)	58% +11)	63.5% (+5.5)	66.2% (+2.7)	67.6% (+1.2)
National	52%	60%	66%	69.3% (+3.3)	70.7 % (+1.4)	71.5% (+0.8)
Difference	-12	-13	-8	-5.8	-4.5	-3.9

- There has been an increase in 16 ELGs. The largest increases have been seen in number (1.4) and managing feelings and behaviour (1.5) and understanding (1.4) when compared with Nottingham City 2017
- There has been a slight dip in health and self-care (-0.3)

The gender gap has closed to 10.9 which is now lower than the gender gap nationally (13.5) and an improvement on 2017 (12.5).

Biggest Gaps with National	
Prime:	Specific:
Moving and Handling -2.4	Reading -6.3
Health and Self-Care -2.2	Writing -5.1
	Shape, space and measures -4.9
	Being Imaginative -5.2

Ranking (To be updated after National Dataset released at end of October 2018)

❖ Early Years EYFS CPD training opportunities programme

A variety of courses are offered to both the Maintained and Private, Voluntary and Independent (PVI) sector to support them to meet their statutory duties by satisfying Ofsted requirements, as well as contributing to the EYFSP.

2017 - 2018 Financial Year:		
Sector	Number of courses	Attendance
Maintained schools and academies	38	843
PVI Day Nurseries, Pre-schools and childminders	62	1598
Generic Courses (e.g. Paediatric First Aid, Food Safety)	19	408
Annual business meeting	1	81
Total: Financial Year 2017 - 2018	120	2,930

April 2018 – September 2018:		
Sector (includes September bookings)	Number of courses	Attendance
Maintained schools and academies	8	97
PVI Day Nurseries, Pre-schools and childminders	23	399
Generic Courses (e.g. Paediatric First Aid and Food Safety)	6	126
Annual Conference	1	99
Total: April – Sept 2018	38	721

❖ Sufficiency Duty

Funded age range	Sector	Number of Children	Percentage of all funded children that term
3 & 4 year old provision	Schools	5,571	76%
	PVI	1,823	24%
2 year old provision	Schools	121	9%
	PVI	1,174	91%

Above data taken from January 2018 Statistical Release (DFE)

Schools: Two Year provision (separate facility – children from the term after they turn 2 years old)		
School	Registered number of places	Average Capacity
Sycamore Primary	12 (24 sessions)	Mostly full to capacity
Djanogly Sherwood Rise	16 (32 Sessions) Room to expand to 20 FTE	Mostly full to capacity
Milford Academy	8 (16 sessions)	Mostly full to capacity – school admission policy (children from catchment)
Cantrell	12 (24 sessions)	Mostly full to capacity

On average 20 additional schools take children the term they turn three equating to approximately 100 additional funded 2 year olds in schools

Ofsted Gradings: 2017/18 – last updated 6th September 2018

Figure 1. Nottingham City Ofsted Grades Compared to National and Regional data

All Early Years Settings (Day Nurseries, Pre-Schools and childminders)			
Ofsted data*	National	East Mids	Nottingham City
Outstanding	18%	14%	7%
Good	76%	80%	83%
Requires Improvement	5%	5%	8%
Inadequate	1%	1%	2%

Figure 2. Nottingham City Ofsted Grades Day Nurseries and Pre-Schools

Day Nurseries & Pre schools	Current numbers	Ofsted Grade % overall	
Outstanding	6	8%	85%
Good	61	76%	
*Met (Independent schools inspectorate)	1	1%	
New Settings (awaiting Inspection)	8	10%	10%
Requires Improvement	3	4%	5%
Inadequate	1	1%	
Total	80	100	

*Early Years provision meets Childcare Act Requirements

Intended Outcomes

Local authorities **must** have regard to the DfE **Early Education and Childcare Statutory Guidance for Local Authorities** when seeking to discharge their duties and **should not** depart from it unless they have good reason to do so.

The Guidance states that:

'all children are able to take up their free hours in a high quality setting'.

2.3 **Table 1** shows the breakdown of the central expenditure budget as approved for 2018/19. We anticipate a similar split of the proposed £0.954m central expenditure in 2019/20 but exact figures will be finalised during the course of the Council's wider 2019/20 budget setting process, taking into account the calculation of detailed salary budgets for example.

TABLE 1: Breakdown of Central Expenditure Budget £m		
Expenditure Category	2019/20	
Early Years Team Salary Budget	0.627	Enabling statutory functions and support for sufficient 2, 3 & 4 year old places.
Recharge for Families Information Service	0.115	Support the increase of participation and associated outcomes of 2, 3 & 4 year old places.
Recharge for Safeguarding Post	0.043	Responsibility for EY providers across the sectors overseeing quality of safeguarding training.
Direct net non-staffing costs (Inc. 30 hours)	0.120	Support extended entitlement implementation and enables the provision of income generation.
Overhead costs	0.049	Loxley House accommodation etc.
TOTAL	0.954	

2.4 Table 2 shows the staffing structure of the Early Years Team:

TABLE 2: Early Years posts	
Role	FTE
Early Years Manager	0.8
Programme/Project Management	1.6
Early Years SEND workers	2.0
EYFS Support Workers	3.8
Teaching & Learning Specialists	1.8
Childcare Workforce Development/Training	2.6
2, 3 and 4 Year old funding administration	1.6
Administrator	0.6

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 NONE.

4 OUTCOMES/DELIVERABLES

4.1 An agreed approach to setting the 2019/20 Early Years budget, which meets the regulations, as outlined in the Early Education and Childcare Statutory Guidance for Local Authorities (March 2017).

5 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

5.1 The proposed Early Years central expenditure will be funded from allocations for 2, 3 and 4 year olds.

5.2 For 3 & 4 year olds, we anticipate that our indicative DSG allocation for 2019/20 will be £17.788m. This will be calculated based on the January 2018 pupil count. The 5% limit on retained funding for 3 and 4 year olds will therefore be £0.889m. This proposal assumes the maximum 5% £0.889m retained contribution from 3 and 4 year old funding. This is £0.007m lower than the figure agreed for 2018/19 as a result of a small reduction in pupil numbers.

5.3 For 2 year olds, we anticipate an indicative DSG allocation for 2019/20 of £3.839m based on the January 2018 pupil count. The planned contribution from 2 year old funding to the central expenditure budget is £0.065m in line with 2018/19. This represents 1.7% of anticipated 2 year old funding. There is no pass-through requirement for 2 year olds.

5.4 Our indicative early years allocation for 2019/20 will be published by the DfE in mid-December. This proposal is subject to this level of central expenditure complying with the regulations based on the final published numbers.

5.5 As the funding rates in the Early Years National Funding Formula are due to remain the same for 2019/20, we do not anticipate any changes to the hourly rates paid to providers.

6 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

6.1 None.

7 HR ISSUES

7.1 None.

8 EQUALITY IMPACT ASSESSMENT

8.1 Has the equality impact of the proposals in this report been assessed?

Yes



9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1 None.

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 Childcare Act 2006, Education Act 2014, Children and Families Act 2014, Early education and childcare statutory guidance for local authority's (March 2017).

SCHOOLS FORUM – 9 OCTOBER 2018

Title of paper:	CENTRAL EXPENDITURE BUDGET 2019/20 – Historic Commitments
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults Laura Pattman, Chief Finance Officer
Report author(s) and contact details:	Ceri Walters, Head of Commercial Finance 01158 764 128 ceri.walters@nottinghamcity.gov.uk
Other colleagues who have provided input:	Sarah Molyneux Head of Legal & Governance 01158 764 335 sarah.molyneux@nottinghamcity.gov.uk Lynn Robinson HR Business Partner 01158 764 3605 lynne.robinson@nottinghamcity.gov.uk

Summary

This report sets out the recommendations of the Schools Forum Sub Group (SFSG) on specific items of expenditure for inclusion in the 2019/20 budget setting process. The SFSG met on the 13 September 2018 and were content to accept the proposals put forward by the Local Authority on the funding of historic commitments for the financial year 2019/20 subject to providing more information on the SEN Transport budget as to what measures the Local Authority were putting in place to manage the budget.

A presentation on this is to be made at the Schools Forum meeting on 9 October 2018.

This process is in accordance with the terms of reference of the SFSG which was presented to Schools Forum on 22 June 2017, as per **Appendix A** to ensure that Schools Forum can undertake the investigative work required to approve elements of the budget and that the Local Authority can achieve the Central Government deadlines.

The supporting documentation is included in **Appendix B to F**.

This report has been prepared in accordance with the financial regulations issued by the Department of Education (DfE) and the latest guidance published by the Education, Skills, Funding Agency (ESFA) and forms part of the Dedicated School Grant (DSG) budget.

Recommendation(s):

- | | |
|----------|--|
| 1 | Approve the historic commitments set out in Table 3 totalling £6.579m, noting the additional historical detail set out in Appendix B . |
|----------|--|

1 REASONS FOR RECOMMENDATIONS

- 1.1 1.1 To enable the development of the Schools DSG budget.
- 1.2 To ensure the Local Authority achieves the DfE statutory deadline of the 28 February 2019 for indicative budgets to be issued to Schools.

1.3 Under the Schools & Early Years Financial Regulations 2018, Schools revenue funding 2019 to 2020 – Operational guide issued July 2018 and the Schools Forum Operational and good practice guide issued in September 2018, Schools Forum approval is required for individual historic commitments in the Central Schools Services Block (CSSB), SEN Transport and the Early Years Central Expenditure budget.

1.4 On 13 September 2018 SFSG undertook a rigorous review of the historic commitments in the CSSB, SEN Transport in the High Needs Block (HNB). The Schools Forum sub-group analysed and discussed the supporting evidence provided by Local Authority officers for each historical commitment and were content with the evidence provided and the responses to the questions they raised. As a result of this the Schools Forum sub-group were in agreement to recommend the approval of the historic commitments proposed for the financial year 2019/20. See Appendices C to F for copies of the supporting evidence.

The Schools Forum sub-group asked for more information on the measures the Local Authority were taking to reduce the cost of SEN Transport. The Local Authority agreed that a Local Authority officer would come and present this information during the Schools Forum meeting on 9 October 2018.

1.5 The process and detail of these reviews is contained within the attached appendices demonstrating a financial overview of the service, how the funding is allocated to the service and areas of delivery.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 The purpose of this paper is to gain the appropriate approvals for central expenditure – historic commitments in order to progress the budget process.

2.2 The budget setting process aligns to the Operational Guidance issued by the Education Funding Agency in July 2018; this is set out in **Table 1** below:

TABLE 1: CENTRAL EXPENDITURE APPROVALS	
Approval required	Centrally retained service
Schools forum approval is not required (although they should be consulted)	<ul style="list-style-type: none"> • High needs block provision • Central licences negotiated by the Secretary of State
Schools forum approval is required on a line-by-line basis.	<ul style="list-style-type: none"> • Funding to enable all schools to meet the infant class size requirement • Back-pay for equal pay claims • Remission of boarding fees at maintained schools and academies • Places in independent schools for non-SEN pupils • Services previously funded by the retained rate of the ESG
Schools forum approval is required on a line-by-line basis. No limit on new commitments or increases in expenditure from 2018/19 to apply to	<ul style="list-style-type: none"> • Admissions • Servicing of Schools Forum

Admissions and Servicing Schools Forum.	
Schools Forum approval is required	<ul style="list-style-type: none"> • Central early years block provision • Any movement of funding out of the schools block • Any deficit from the previous funding period that is being brought forward and is to be funded from the new financial year's schools budget (this should be specifically agreed at the time the budget is set, using the latest outturn position) • Any brought forward deficit on de-delegated services which is to be met by the overall schools budget
Schools forum approval is required on a line-by-line basis. The budget cannot exceed the value agreed in the previous funding period and no new commitments can be entered into since April 2013.	<p>Historic Commitments</p> <ul style="list-style-type: none"> ✓ Capital expenditure funded from revenue ✓ Contribution to combined budgets ✓ Existing termination of employment costs ✓ Prudential borrowing costs ✓ SEN transport where the Schools Forum agreed prior to April 2013 a contribution from the schools budget (this is treated as part of the high needs block but requires Schools Forum approval as a historic commitment.
Schools forum approval is required on a line-by-line basis, including approval of the criteria for allocating funds to schools.	<ul style="list-style-type: none"> • Funding for significant pre-16 pupil growth, including new schools set up to meet basic need, whether maintained or academy • Funding for good or outstanding schools with falling rolls where growth in pupil numbers is expected within three years

The ✓ denotes those services included in **Table 2** below.

2.3 The diagram below sets out how this approval influences the overall budget setting process for the DSG and Schools budgets.

Where approvals are being undertaken for 2019/20, including those at this meeting, the values have been included in this diagram for demonstration purposes only.

For the budget items still being developed the 2018/19 approved values have been included, again for demonstration purposes.

Elements	Central Schools Services Block	Schools Block	Early Years Block	High Needs Block	Total
Educational Settings		£203.982m in 2018/19	£21.130m in 2018/19	£26.945m in 2018/19	TBC
Pupil Growth		£1.148m in 2018/19			TBC
Historic Commitments	£5.579m in 2019/20			£1.000m in 2019/20	£6.579m
Ongoing commitments	£1.467m in 2019/20		TBC	£4.405m in 2018/19	TBC
De-delegated		£0.414m in 2018/19			£0.414m
Block Total	£7.047m	TBC	TBC		TBC
2019/20 Indicative Budget Issued	£7.047m	£206.928m	TBC	£32.350m	TBC

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 No other options are available as the recommendations align to the financial regulations issued by the DfE in relation to the allocation of DSG.

4 OUTCOMES/DELIVERABLES

4.1 To obtain an agreed 2019/20 Schools Budget, enabling updated schools budgets to be issued to schools within the statutory deadline of the 28 February 2019.

5 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

5.1 The Central School Services Block (CSSB) is made up of two categories of funding:

- Historic commitments and
- Ongoing commitments

Noted in **Table 2** are the budgets which are funded from the CSSB.

Commitment	Classification
CERA	Historic commitment
Prudential borrowing	Historic commitment
Termination of employment costs	Historic commitment
Contribution to combined budgets	Historic commitment
Admissions	Ongoing commitment
Copyright licences	Ongoing commitment
Schools Forum	Ongoing commitment
Retained Duties (Former ESG)	Ongoing commitment

5.2 Historic commitments are funded at the same level as in 2018/19.

LA's are funded for ongoing commitments based a national formula which distributes 90% of funding according to a per-pupil factor and 10% of funding according to a deprivation factor. Both elements have been adjusted for area costs.

In 2019/20 the CSSB unit of funding for Nottingham City for ongoing commitments is £36.04 per pupil. In 2018/19 the rate was £36.96 per pupil.

This is a reduction of £0.037m on last year.

It is assumed that this rate will reduce by 2.5% per annum.

5.3 The LA has been notified by the Education Funding Agency that the provisional CSSB allocation for 2019/20 is £7.047m. This figure will be updated in December 2018 once the ongoing commitments funding has been updated to reflect the pupils on the Autumn Term 2018 school census. The provisional allocation is based on the Autumn Term 2017 school census.

- 5.4 The items seeking approval in this report are for Historic commitments in the financial year 2019/20 and the detail supporting the values are shown in **Table 3**.

Approval is being sought from Schools Forum on 9 October 2018 for the ongoing commitments in a separate report.

- 5.5 The items seeking approval in this report and the detail supporting the values are shown in **Table 3**:

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TABLE 3: CENTRAL EXPENDITURE - APPROVALS REQUIRED

Service Description	2019/20 £m	Narrative
HISTORIC COMMITMENTS – CENTRAL SCHOOLS SERVICES BLOCK		
1. Contribution to combined budgets	2.887	£0.981m - Family support See Appendix C
		£1.327m – Integrated placements See Appendix D
		£0.109m – Safeguarding Training See Appendix E
		£0.470m – Virtual School See Appendix F
2. Termination of Employment Costs	1.608	This budget is used to pay for ongoing pension and redundancy from historic restructures pre 1st April 2013. This information has been submitted to the DfE as part of the baseline assessment and current commitments are £1.637m. It is anticipated that these costs will reduce over time.

3. Prudential Borrowing	0.283	<table border="1"> <thead> <tr> <th>Scheme</th> <th>Loan Value £m</th> <th>2019/20 £m</th> <th>2020/21 £m</th> <th>2021/22 £m</th> <th>2022/23 £m</th> <th>2023/24 to 2052/53 £m</th> </tr> </thead> <tbody> <tr> <td>Education BSF</td> <td>0.400</td> <td>0.028</td> <td>0.027</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>BSF 06/07</td> <td>1.149</td> <td>0.086</td> <td>0.082</td> <td>0.078</td> <td>-</td> <td>-</td> </tr> <tr> <td>BSF Academies</td> <td>0.026</td> <td>0.002</td> <td>0.002</td> <td>0.002</td> <td>0.002</td> <td>-</td> </tr> <tr> <td>Southwark Primary</td> <td>0.294</td> <td>0.023</td> <td>0.022</td> <td>0.021</td> <td>0.020</td> <td>-</td> </tr> <tr> <td>BSF - In lieu of Revenue Costs Transfer</td> <td>0.900</td> <td>0.069</td> <td>0.067</td> <td>0.064</td> <td>0.061</td> <td>-</td> </tr> <tr> <td>Emanuel School</td> <td>0.265</td> <td>0.020</td> <td>0.020</td> <td>0.019</td> <td>0.018</td> <td>-</td> </tr> <tr> <td>Nottingham Academy</td> <td>1.078</td> <td>0.054</td> <td>0.054</td> <td>0.054</td> <td>0.054</td> <td>0.054</td> </tr> <tr> <td>TOTAL</td> <td>4.113</td> <td>0.283</td> <td>0.274</td> <td>0.238</td> <td>0.155</td> <td>0.054</td> </tr> </tbody> </table>	Scheme	Loan Value £m	2019/20 £m	2020/21 £m	2021/22 £m	2022/23 £m	2023/24 to 2052/53 £m	Education BSF	0.400	0.028	0.027	-	-	-	BSF 06/07	1.149	0.086	0.082	0.078	-	-	BSF Academies	0.026	0.002	0.002	0.002	0.002	-	Southwark Primary	0.294	0.023	0.022	0.021	0.020	-	BSF - In lieu of Revenue Costs Transfer	0.900	0.069	0.067	0.064	0.061	-	Emanuel School	0.265	0.020	0.020	0.019	0.018	-	Nottingham Academy	1.078	0.054	0.054	0.054	0.054	0.054	TOTAL	4.113	0.283	0.274	0.238	0.155	0.054
		Scheme	Loan Value £m	2019/20 £m	2020/21 £m	2021/22 £m	2022/23 £m	2023/24 to 2052/53 £m																																																									
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Nottingham Academy	1.078	0.054	0.054	0.054	0.054	0.054																																																											
TOTAL	4.113	0.283	0.274	0.238	0.155	0.054																																																											
<p>This funding is used to meet the borrowing commitments around the initial set up costs of the Building Schools For the Future programme and Nottingham Academy.</p>																																																																	
4. Capital Expenditure from Revenue Accounts	0.801	This expenditure supports Private Finance Initiative payments (fixed element) that have to be allocated and capital improvements ensuring that all buildings continue to meet the legal requirements. Any slippage in this spend is carried forward to future years and is based on the original build programme.																																																															
SUB-TOTAL	5.579																																																																

HISTORIC COMMITMENTS – HIGH NEEDS BLOCK		
1. SEN Transport	1.000	SEN transport where the Schools Forum agreed prior to April 2013 a contribution from the schools budget (this is treated as part of the high needs block but requires Schools Forum approval as a historic commitment.
SUB-TOTAL	1.000	
GRAND TOTAL FOR HISTORIC COMMITMENTS	6.579	

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5.6 **Appendix B** shows the values of these items compared to previous year's budgets and actuals.

5.7 Noted below is the latest guidance from the ESFA in relation to historic commitments in 2019/20.

The Central school services block national funding formula - Technical note – August 2018 states:

Paragraph 2

“LAs will receive funding for historic commitments at the same levels as 2018-19, where these commitments remain the same.”

Schools revenue funding 2019 to 2020 - Operational guide July 2018 states:

Paragraph 149

“Our expectation remains that expenditure from DSG will reduce over time as contracts and other commitments reach their end points and we will continue to monitor this expenditure year-on-year. We will seek explanations of expenditure recorded on section 251 returns where this is not reducing as expected.”

Paragraph 150

“From 2020 to 2021, we expect to start to reduce the historic commitments element of the CSSB where local authorities' expenditure has not reduced. We do not believe it is fair to maintain indefinitely significant differences in funding between local authorities which reflect historic decisions.”

5.8 Any items not approved through this report will:

- a) Not necessarily create a full year saving in 2019/20 due to the implementation time required to initiate a service reduction (consultation/approval/notice etc).
- b) The guidance appears to infer that this budget would be available to allocate to other priorities in year only. However, the historic commitments budget would be reduced in 2020/21 which would mean that any benefit would only be experienced in the financial 2019/20 as the funding would be removed in 2020/21. See paragraph 5.7.

6 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

6.1 The current law in force in this area is the School and Early Years Finance (England) Regulations 2018. However, these regulations apply for the financial year starting 1 April 2018 only and are updated annually. However, it will be necessary to review these proposals once 2019 regulations have been produced.

Sarah Molyneux
Head of Legal & Governance

7 HR COLLEAGUE COMMENTS

- 7.1 In the event that Schools Forum DO NOT support/agree the continuation of any proposed funding arrangements as part of this and future Reports on funding allocation, this may result in significant workforce implications that would need to be detailed in separate School Forum, Chief Officer, and/or other governance reports. This could include potential employment / contractual obligations, costs and risks to the authority, taking into account appropriate timelines. Schools Forum and Local Authority Officers need to consider potential consultation, and approval routes, where workforce implications, risks and costs should be set out and planned. This would include any legal responsibilities, and obligations to consultation, both publically or internally with the workforce.

Lynn Robinson, HR Business Lead

1 October 2018

Email: lynn.robinson@nottinghamcity.gov.uk

Tel: 0115 8763605

8 EQUALITY IMPACT ASSESSMENT

- 8.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because:
(Please explain why an EIA is not necessary)

Yes

Attached as Appendix x, and due regard will be given to any implications identified in it.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 DfE - Schools and Early Years Financial Regulations 2018.
- 10.2 DfE – The national funding formulae for schools and high needs 2019 to 2020 – July 2018
- 10.3 ESFA – Schools revenue funding 2019 to 2020 - Operational guide July 2018
- 10.4 DfE - Central school services block national funding formula – Technical note – August 2018
- 10.5 DfE – Schools Forum – Operational and good practice guide – September 2018

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SCHOOLS FORUM - 22 JUNE 2017

Title of paper:	SCHOOLS FORUM SUB GROUP – TERMS OF REFERENCE & FUTURE WORK PROGRAMME
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	Ceri Walters, Head of Commercial Finance 01158 764 128 ceri.walters@nottinghamcity.gov.uk
Other colleagues who have provided input:	Sarah Molyneux Solicitor and Legal Service Manager 01158 764 335 sarah.molyneux@nottinghamcity.gov.uk Lynn Robinson HR Business Partner 01158 764 3605 lynne.robinson@nottinghamcity.gov.uk
Summary	
At the Schools Forum (SF) meeting on 23 February 2017 it was agreed that the Terms of Reference for a Schools Forum Sub Group (SFSG) would be established to formalise the requirements and membership of this group and a timetable of budget activity be presented for consideration by the Sub Group.	
This report sets out those requirements and membership.	
Recommendation(s):	
1	To approve the SFSG's Terms of Reference as set out in Appendix A .
2	To approve the membership of the SFSG for financial year 2017/18 detailed in paragraph 2.2.
3	To agree at least one further member of SF from the secondary sector for the SFSG.
4	To note the work programme in Appendix B for 2017/18 which has required 2 SFSG meetings in accordance with other activities to ensure a robust budget setting process.

1. REASONS FOR RECOMMENDATIONS

- 1.1 The recommendation will support the establishment and use of the SFSG on a more formal basis, undertaking the financial reviews required to support the development of school budgets. This group have no formal powers and are set up as a consultative group of the SF.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 During the last few years a number of financial issues have arisen which have required a more detailed discussion with SF e.g. the implementation of the National Funding Formula, and the use of the SFSG in these instances has enabled:
- a detailed analysis/discussion of these issues to be undertaken;
 - the ability to undertake detailed consultation regarding budget issues;
 - a more detailed understanding of the budget to be gained by SF members and
 - recommendations to be presented back to SF that have been agreed with their representatives. This prevents SF from having to undertake lengthy detailed operational discussions ensuring that SF time is focused at more strategic educational issues.

2.2 Based on the discussions at SF the 2017/18 SF members assigned to the SFSG will be:

- Sian Hampton – Head - Secondary sector and Chair of SFSG
- Judith Kemplay – Head - Primary Sector
- James Strawbridge – Governor Primary sector
- Janet Molyneux – Business Manager – Primary sector

The group will also include Local Authority Finance Officers and, where appropriate, either other officers or Head Teachers.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 Not establishing a SFSG would prevent the detailed discussions required on certain budget issues to be undertaken.

4. OUTCOMES/DELIVERABLES

4.1 To ensure that SF have the assurance that challenge and understanding of decisions being taken at SF has been achieved.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY)

5.1 The formal establishment of the SFSG will enable detailed budget discussions to be undertaken with members of SF. This reduced group size will facilitate more robust discussions ensuring the budgets set support value for money.

5.2 **Appendix B** sets out a number of areas requiring SFSG focus for the financial year 2017/18 in the context of other internal and external deadlines/activities and the required dates of those meetings.

5.3 These discussions will ensure budget construction is developed in accordance with the latest Schools and Early Years Financial Regulations.

6. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

6.1 There are no legal implications arising from the content of this report.

7. HR ISSUES

7.1 None

8. EQUALITY IMPACT ASSESSMENT

8.1 An EIA is not needed as the report does not contain new or changing policies or proposals or financial decisions

9. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1 None

10. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 Schools Forum – Central Expenditure Budget 2016/17 – 8 December 2016

10.2 Schools Forum – Central Expenditure Budget 2016/17 – 19 January 2017

10.3 DfE - Schools and Early Years Financial Regulations 2017.

**Schools Forum Sub Group (SFSG)
Terms of Reference**

1 The role of the (SFSG) is:

- 1.1 To act as a consultative group on all financial matters relating to schools and any wider education issues referred to it by the Schools Forum (SF).

Financial matters include areas such as the school funding formula, benchmarking analysis, review of use of reserves and any other financial issues that may require consultation with the group on behalf of SF.

2 Appointment of SFSG:

- 2.1 The membership of SFSG will align to financial years and the budget cycle. The membership and Chair of the group will be agreed by SF and members can remain on the SFSG for consecutive terms.

- 2.1 The membership of the group will not exceed 6 and the representatives will need to cover Primary Maintained (if applicable), Primary Academy, Secondary Maintained (if applicable) and Secondary Academy.

- 2.2 Chair of Schools Forum will be Chair of the SFSG.

3 Meetings

- 3.1 Finance officers will arrange, attend and set the agendas in consultation with the Chair of SFSG. There will be meetings where the Finance Officers request the attendance of other Local Authority officers and Head Teachers which are deemed appropriate to facilitate discussions. This will be after consultation with the Chair of the SFSG.

- 3.2 The agenda and supporting papers will be issued at least 3 working days before the meeting. The purpose and outcomes required from the meeting will be made clear on the agenda to enable the meeting to be as efficient and effective as possible.

- 3.3 Members are required to accommodate the meetings to ensure a balanced discussion is undertaken. No substitutes will be required and meeting dates will be issued with at least 4 academic weeks notice however, there may be exceptional circumstances where this timeline is not achievable.

- 3.4 In a majority of cases the meetings will be no more than 2 hours.

Meeting Date		Requirement
22 June 2017	SF	<ul style="list-style-type: none"> • 2016/17 Outturn Report/Reserves update • Discussion on pupil growth principles for secondary schools. This is to obtain Schools Forums views on what they think secondary schools should be funded once the increase in pupils feeds through to secondary schools. A paper will then be brought to Schools Forum on 9 November 2017 amending the pupil growth criteria to include funding for secondary school expansions.
W/C 10 th July 2017	Sub Group	<ul style="list-style-type: none"> • 1st Sub-group meeting laying out the proposed changes to the formula and ask for the sub-groups opinions on the proposals.
11 th September 2017	Sub Group	<ul style="list-style-type: none"> • Outcome of formula SG meeting. • ESG replacement funding – to include managers of services. • Central expenditure funding – to include managers of services.
15 September 2017	Gov	<ul style="list-style-type: none"> • Consultation document must be completed
18 September 2017	Deadline	<ul style="list-style-type: none"> • Notify schools on Scene of the consultation and ask for responses by 13 October 2017
9 November 2017	SF	<ul style="list-style-type: none"> • De-delegation requests • ESG funding requests • Revision of the pupil growth criteria • Consult with Schools Forum on high needs places
7 December 2017	SF	<ul style="list-style-type: none"> • Proposed Formula changes 2018/19 report • Pupil Growth Contingency Fund request for 2018/19 • Central Expenditure requests
18 January 2018	SF	<ul style="list-style-type: none"> • Schools Budget Report 2018/19

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Analysis of Historic Commitments 2016/17 to 2019/20

HISTORIC COMMITMENTS	2016/17					2017/18					2018/19				2019/20
	Budget Approved by Schools Forum/Included in School Budget Report £m	Budget Latest £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget Approved by Schools Forum/Included in School Budget Report £m	Budget Latest £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget Approved by Schools Forum/Included in School Budget Report £m	Budget Latest £m	Forecast £m	Variance - Over/ (Under) budget £m	Budget £m
Termination of Employment Costs	1.609	1.609	1.594	(0.015)		1.609	1.609	1.609	0.000		1.609	1.609	1.609	(0.000)	1.609
Capital Expenditure from Revenue Accounts	1.508	0.881	0.299	(0.582)	This was due to slippage associated with the capital programme and was carried forward to 2017/18.	0.881	0.842	0.790	-0.052		0.840	0.840	0.790	-0.050	0.801
Prudential borrowing costs	0.297	0.326	0.326	0.000		0.302	0.302	0.302	0.000		0.293	0.293	0.293	0.000	0.283
Combined Services - Family Support	0.981	0.981	0.981	0.000		0.981	0.981	0.981	0.000		0.981	0.981	0.981	0.000	0.981
Combined Services - Integrated placements	1.327	1.327	1.327	0.000		1.327	1.327	1.327	0.000		1.327	1.327	1.327	0.000	1.327
Combined Services - Serving Vulnerable Groups - Looked After Children	0.483	0.483	0.434	(0.049)	Staff vacancies	0.470	0.470	0.398	(0.072)	Pupil Premium Plus Grant used instead of DSG due to funding remaining at the end of the financial year.	0.470	0.470	0.470	0.000	0.470
Combined Services - Safeguarding Training	0.109	0.109	0.084	(0.025)	Staff vacancies	0.109	0.109	0.083	(0.026)	Staffing underspend and other supplies	0.109	0.109	0.109	0.000	0.109
SEN Transport	1.000	1.000	1.000	0.000		1.000	1.000	1.000	0.000			1.000	1.000	0.000	1.000
TOTAL	7.313	6.715	6.045	-0.671		6.679	6.640	6.490	-0.150		5.628	6.629	6.579	-0.050	6.579

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2018/19

Schools Forum – Central Expenditure Contribution

Impact Statement

Schools Forum contribution underpins early help, preventative and targeted support and intervention for families in Nottingham City.

Overview of the Services: Early Help and Targeted Family Support

Total Budget:	Early Help - £6.266m Targeted - £4.538m TOTAL - £10.804m
CEG Contribution:	£0.981m
Other Contributions:	£1.049m Youth Justice Board £1.430m Public Health £0.404m Priority Families
Number of Children Supported:	Circa 20,550 per annum

Funding Allocation:

Area	Intervention	Reach
Case Management – Priority Families / Child Only	<p>Family Support Clinics to triage concerns and provide brief intervention and sign-posting to appropriate services.</p> <p>Case Management of Targeted Family Support (whole family or child only). This includes:</p> <ul style="list-style-type: none"> - Engagement (gaining consent) - Assessment of needs - Development of a tailored plan - Regular safeguarding visits and direct work with families - Brokering support from other partners to meet identified needs - Escalation to Children’s Social Care (CSC) - Supporting sustainable de-escalation from CSC <p>In Targeted Family Support cases are open for 6 months on average. In Early Help cases are open for 3 months on average.</p>	<p>Early Help have 19 Family support clinics per week term time and 13 Family support clinics per week during school holidays (as Children’s Centres on school sites are closed)</p> <p>Each clinic has capacity for 3 families, therefore: 57 families per week during term time and 39 families per week during school holidays</p> <p>Early Help case-holding circa 2,500 (per year)</p>
Parenting Programme Delivery	Delivery of Triple P Parenting, Non-Violent Restraint, Teen ADHD Programme, Caring for Kids, Stronger Families (delivered in partnership with WAIS).	See below for course by course analysis

Family Network Meetings	See Case Study attached.	<p>Brokered on a case-by-case basis.</p> <p>Apr 17-Apr 18 Total number of completed Family network meetings = 74 Total number of children supported = 146</p> <p>Apr 18 – Aug 18 completed FNM = 41 Number of children supported = 74</p>
Children's Centres & Play and Youth Services	<p>CCs deliver open access and targeted services for families with a child aged 0-5 years (also work with siblings). Outreach for particularly vulnerable parents (targeted groups are CiN, SEND, DV, Teenage Parents and Workless Households).</p> <p>Play & Youth Services deliver open access and targeted play & youth sessions. Youth service delivers themed projects on key PSHE areas to build self-esteem and confidence. Examples are CSE, bullying, DV and positive relationships.</p>	<p>Total number of Children's Centre sessions April 2017 – March 2018 = 6,157</p> <p>Total number of Children's Centre attendances April 2017 – March 2018 = 114,130</p> <p>Total number of Play Youth sessions April 2017 – March 2018 = 2,227</p> <p>Total number of Play Youth attendances April 2017 – March 2018 = 32,468</p>

Intended Outcomes:

- Improved resilience in families by reducing financial vulnerability, reducing worklessness and increasing work readiness.
- Improved attendance at school and behaviour in the classroom leading to a reduction in exclusions
- Reduction in trilogy of risk factors – substance misuse, parental mental health and domestic violence.
- Improved parenting skill and competence
- Early intervention and prevention – reduction in the number of families requiring more specialist intervention or children being accommodated.
- Reductions in behavioural issues, youth offending and broader impact on communities.
- Improved personal, social and emotional wellbeing of children and young people.
- Improved school readiness and earlier identification of additional needs.

Impact

Support for families is accessed through Children & Families Direct (C&FD). From Sept 2017, C&FD received 21,913 contacts requesting help for children, young people and families. 11.2% (2,849) of those contacts were from schools. Overall, 21% of contacts reach the threshold for social care referral and 10.3% progress into early help or targeted services. A greater percentage of contacts from schools progress to referral (21.9%) and early help (18.5%) than other agencies.

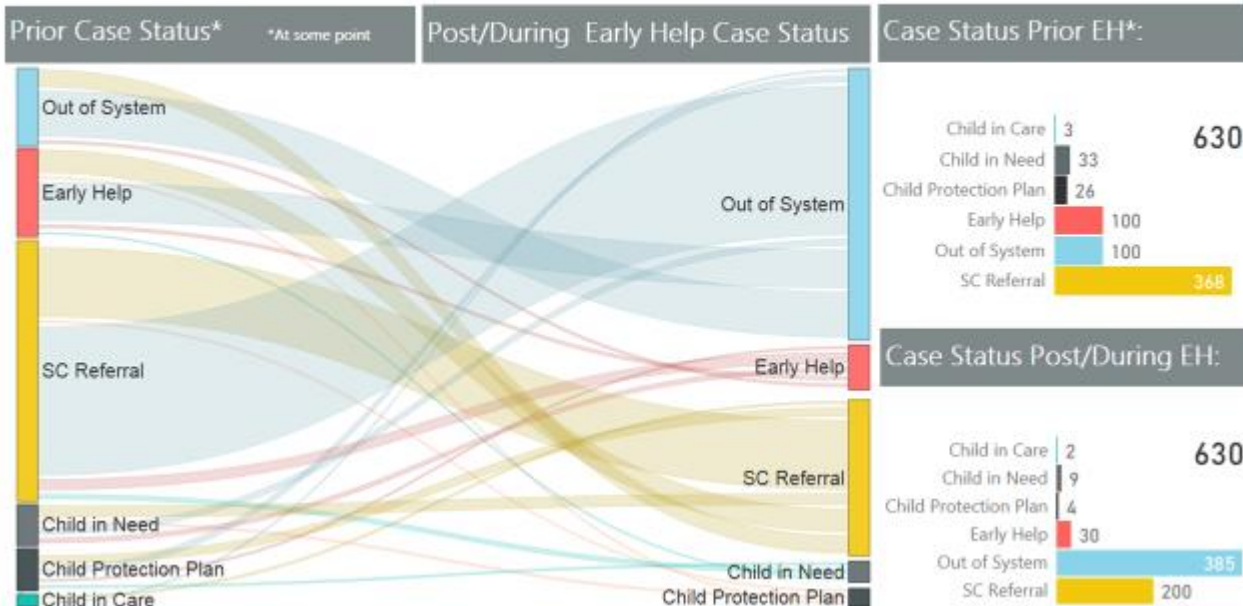
Over the same period, C&FD processed 4574 social care referrals. 11.7% (535) of those referrals were from schools. Overall, 90.8% of referrals go on to receive an assessment or service. A greater percentage of referrals from schools progress to assessment service (96%).

The Right Help at the Right Time

Are the right families being worked with? The children and families being worked with are appropriate. There is strong demographic evidence to support this and a large proportion (84%) have previously been engaged with Children's Integrated Services at some point (68% of the cohort have a Social Care history). Importantly, the vast majority of the historic social care interventions were at the lower end of the need spectrum. I.e. *Not CIN, Child Protection or Children in Care*.

Does Early Help work? Following this period of EH/SC intervention 82% (385 + 134) of children have not had any further Social Care or Early Help engagement to date. 83 children had a further SC referral, on average this was 94 days after the EH episode ceased. The remaining 117 of repeat referrals occurred during the EH Episode, these cases were being stepped across to Social Care so do not count as repeat referrals as work as ongoing. Only 4% of children received further Early Help intervention. On average cases are re-opened after 65 days, so they are not immediate bounce backs.





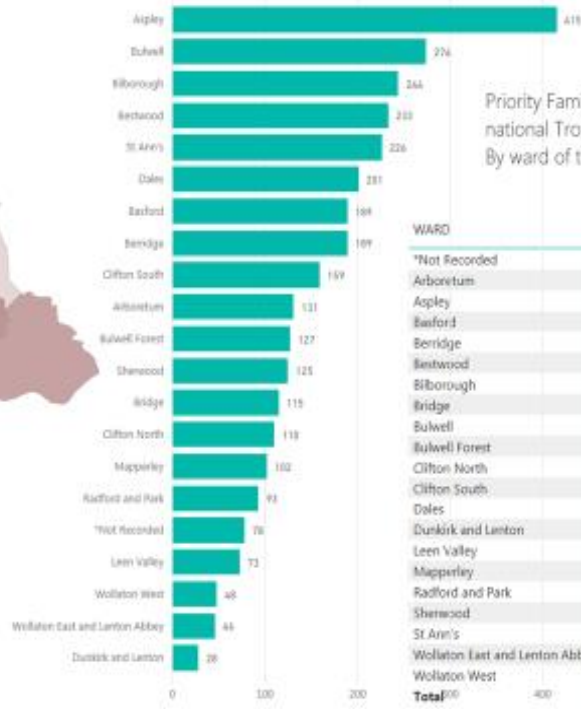
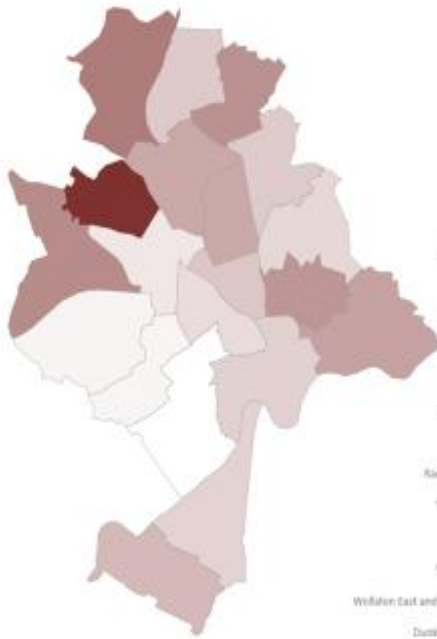
Priority Families

Below is a summary of some key outcomes data in relation to the impact of our intervention for families.

- Worked with 3591 (versus 1500 in 2017/18) families in Phase 2 of the Priority Families Programme. Average length of intervention is 6 months and have to evidence that outcome is sustained for up to 3 terms (depending on the need identified).
- The majority of Nottingham’s Priority Families are supported by Nottingham City Council’s Early Help and Targeted Services.
- Claimed for significant and sustained progress or continuous employment for 1651 (versus 642 in 17/18) families since 2015.

Of the 1561 claims:

- 568 families (36.4%) had education needs identified at the start of intervention. 1124 individual issues. 100% made progress against their identified needs in line with the Troubled Families Outcomes Plan.
- 485 families had school attendance recorded as an issue – 678 individual issues. 100% made progress against their identified needs in line with the Troubled Families Outcomes Plan.
- 160 families had exclusion/behaviour issues recorded – 198 individual issues. 100% made progress against their identified needs in line with the Troubled Families Outcomes Plan.
- To date we have 80% ‘conversion rate’ from attachment to significant and sustained outcomes.



Priority Families attached as part of the national Troubled Families programme. By ward of their home address.

WARD	Attached Families	%GT Attached Families
*Not Recorded	78	2.44%
Arboretum	131	4.10%
Aspley	415	12.98%
Basford	189	5.91%
Berridge	189	5.91%
Bestwood	233	7.29%
Bilborough	244	7.63%
Bridge	115	3.60%
Bulwell	274	8.57%
Bulwell Forest	127	3.97%
Clifton North	110	3.44%
Clifton South	159	4.97%
Dales	201	6.29%
Dunkirk and Lenton	28	0.88%
Leen Valley	73	2.28%
Mapperley	102	3.19%
Radford and Park	93	2.91%
Sherwood	125	3.91%
St Ann's	226	7.07%
Wollaton East and Lenton Abbey	46	1.44%
Wollaton West	48	1.50%
Total	3198	100.00%

Parenting Programmes

a) **Early Help** teams facilitate parenting programmes within the Early Help targeted group offer. The three evidence-based programmes offered are:

Parenting Programmes 01/09/2017 – 31/07/2018		
Programme	Number of programmes delivered	Number of participants
Peep	38	294 families
Triple P	18	145 parents
NFPP	9 individual programmes	9 families
Total	65	448

Peep

Peep is a 12 week, evidence based programme where parents/carers and their children learn and play together, the programme recognises parents as their child's first educator. Parents learn how to enhance their child's development through every day opportunities.

Early Help currently deliver for 3 different age groups:

- **Peep Watch me Grow** (parents/ carers with children 0-9 months)
- **Peep Inbetweenies** (parents/carers with children aged 9 -18 months)
- **Peep Getting Ready for Nursery** (parents/carers with children aged 18-24 months)

OUTCOMES:

- A total of **294 families** have attended Peep programmes during this period.
- 60 % of attendees completed the full programme
- 100% of families who completed an evaluation of the session, rated the sessions as good or very good.
- 80% of the overall total of attendees completed the end of programme Peep review.
- 100% of families agreed that they and their child had benefitted from attending the sessions.
- 50% of families attending said the length of the course was not long enough

Triple P

Triple P is an 8 week, evidence based programme for parents and carers with a focus on increasing positive behaviours. The programme is ideally suited to parents with children aged between 2 and 8 years.

Access to the programme is via a referral route, Early Help referrals have included self-referrals, internal referrals from Children's Integrated Services Schools and Health services.

OUTCOMES:

- 167 families (of the 286 referrals) received a pre-course home visit
- A total of 145 parents (benefitting 308 children) started Triple P programmes and 106 parents completed the full course. This is a retention figure of 73%.
- 89% of parents who completed the course reported improved behaviours
- 99% of parents who completed the course reported improved self – confidence

New Forest Parenting Programme (NFPP).

The New Forest Parenting Programme (NFPP) delivered in Early Help has a target group of parents with a pre-school child who is displaying symptoms of ADHD.

NFPP takes place in the family's home through weekly visits. During these visits, parents learn strategies for managing their children's behaviour and difficulties with attention.

b) We also have a more targeted Parenting Team that deliver the following interventions:

1. The Positive Parenting Programme ('Triple P') Group (4-12 years)
2. The Positive Parenting Programme ('Triple P') Teen (12-16 years)
3. Non-Violent Resistance (NVR) (for parents of aggressive, violent and self-destructive children).
4. Teen ADHD.
5. Stronger Families (families impact by domestic abuse – run in conjunction with Women's Aid Integrated Services).
6. Caring for Kids (aimed at parents who misuse alcohol and/or drugs).
7. Restorative Parenting (aimed at addressing conflict in parent/child relationships).

Parenting Groups 1/9/17 - 31/7/18		
Programme	No Courses	No. Participants
Triple P	14	87
ADHD	7	36
NVR	6	35
CSE	3	10
Stronger Families	1	5
NFPP	1	5
Father's Group	2	15
Totals	34	193
Caring for Kids Workshop	2	0

GROUP PROGRAMME SCALER SUMMARY													
Programme	Sample size	SDQ			Parenting Scale			WEMWEBS			Satisfaction Score		
		Improvement	%	Mean Change	Improvement	%	Mean Change	Improvement	%	Mean Change	Average Score across all domains	Average Score across 1,5,6,7.	
ADHD	13	11	84.6%	2.8	10	76.9%	0.5	10	76.9%	3.5	5.4	5.5	
Triple P	24	20	83.3%	3.3	20	83.3%	0.6	14	58.3%	4.8	5.2	5.5	
NVR	13	11	84.6%	3.5	11	84.6%	0.8	11	84.6%	3.4	5.7	6.1	
Fathers Group	11	5	45.5%	-0.3	10	90.9%	0.6	10	90.9%	9.5	6.4	6.5	
Totals	61												
											7	Excellent	Very Satisfied
											5	Good	Satisfied
											3	Fair	Disatisfied
											1	Poor	Quite Disatisfied

FAMILY NETWORK MEETING CASE STUDY

The FNM was held for three children all attending Bluebell Hill Primary. Parents had separated and children were having inconsistent contact with both. Mum was struggling to manage the children's behaviour. Since the separation mum had moved across the city, which meant she would need to commute to get the children to school (which she often didn't do).

Dad lived closer to school but there were still issues with attendance and lateness. The children were on a Child in Need (CiN) plan, due to concerns initially raised by school as the children were consistently late and turning up unclean and in dirty uniform and not being collected on time. If one child was unwell then the others would not be taken to school either.

The purpose of the meeting was to assess what support parents needed and who would be able to provide this, to plan and agree contact and who would be able to support get the children to school consistently and on time.

The children did not attend the meeting but did share their views through word and pictures. The children were worried about not seeing their dad and not seeing their friends at school.

Outcome

The network were able to develop a plan for who would be available to take the children to school. This was agreed and the family drew up a rota.

The network also came up with a plan on contact between parents, so the children would now know exactly when they would be staying with Dad.

For the children the network developed a plan of reward systems to help Mum and Dad manage their behaviour and have a consistent approach to rules and boundaries.

The Network also addressed concerns around home conditions, the children not being washed and being sent to school dirty.

Feedback

The family felt listened to and empowered in making their own plan

The network felt comfortable raising concerns

Family did not feel judged and that the meeting was theirs

Review

A review is completed by the coordinator at 3 months

The family have made vast improvements with home conditions, children are bathed routinely, and new uniform was purchased.

The children school attainment and attendance had improved from 37% to 87%

The children's behaviour had improved and parents were now working together and communicating around rules and boundaries.

2018/19

Schools Forum – Central Expenditure Contribution

Impact Statement

Schools Forum contribution underpins placement for children in care (CiC). Current numbers of CiC are 609.

Overview of the Services: CiC Placements

Total Budget:	£32.094m
CEG Contribution:	£1.327m (4.13% of total)
Other Contributions:	£0.675m UASC Grant £1.183 Health Contribution
Number of Children Supported:	629 (as at 29 th August 2017)

Funding Allocation:

Area	Intervention/Support	Reach
Placements (Internal and External)	<p>Internal Placements – Foster Care or Internal Residential Provision</p> <p>External Placements – External Residential or Independent Fostering Association.</p> <p>All carers are commissioned to support the educational outcomes for children in their care including but not limited to:</p> <ul style="list-style-type: none"> • Encouraging and enabling children and young people to achieve their academic potential and promote study and learning, in line with national guidance • Working in line with individual care plans, education health care plans, personal education plans, pathway plan and attend and contribute at all reviews • Supporting the education provision of the child, including all home to school transport, encouragement and clear expectations in relation to attendance • Supporting with homework assignments and extra-curricular activities • Providing school books and educational equipment where required, to supplement learning, for example through home tuition • Supporting and funding day school outings and visits and overnight trips • Attendance at Personal Education Plan (PEP) meetings 	<p>609 (4th September 2018) versus 629 (as at 29th August 2017)</p>

	<ul style="list-style-type: none"> • Attendance at parents evening, sports days, etc • Providing all school uniforms and clothing, including and specialist or replacement clothing requirements, e.g. unusual sizes or for children or young people with disabilities • Providing all individual educational resources and sports or hobby equipment, within reason, to support the child or young person develop their talents and life chances • Providing access to a computer in the home that is principally for education and homework. • Providing equipment for a disabled child or young person • Maintain all health checks and appointments (dental, opticians, statutory LAC health reviews), which may ultimately reduce the instances of absence due to sickness • Collect and return absconding child or young person to care placement • Take all reasonable steps to avoid the criminalisation of the child and young person • Provide appropriate specialist resources to meet the needs of specialist placements. This may include evidence based therapeutic input, DfE registered education or care for young people with complex medical needs. These resources are in addition to existing mainstream or specialist NHS and Placing Authority funded Services already available to young people, which are free at point of delivery. <p>In addition to some our most complex children (often in external residential provision) are unable to be educated in a mainstream school setting and therefore require on-site education provision or cannot be educated in mainstream school without significant additional support. This provision or support is also part of the commissioned package for these children and young people. A current example involves one member of staff from the residential home supporting the young person within the classroom for the full school day, every day. This is following a period of home tuition with the ultimate outcome being that the young person's support can gradually reduce until they can be schooled within mainstream education independently on a permanent basis. This arrangement has avoided the costs to the school of 1:1 TA support.</p>	
Edge of Care Interventions	We currently fund two interventions to provide intensive 24/7 support for families who have children	Capacity to work 55 families per

	<p>on the edge of care. These services are Multi Systemic Therapy (MST) and Multi Systemic Therapy Child Abuse and Neglect (MST-CAN). These services work with our complex edge of care cohort to provide holistic, therapeutic support to build resilience in families and address issues that are impacting negatively on children and young people. There services cost a total of £0.790m.</p> <p>See case study attached to see how they improve educational outcomes for children and young people.</p>	<p>year (multiple children)</p>
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Intended Outcomes:

- Provide a safe and stable home environment that is able to meet the child/young person’s holistic needs so that they can play an active and positive part in their community (school, neighbourhood etc.)
- Keep children with their families wherever possible or if accommodated to provide placement stability and increase the number of children placed within 20 miles of Nottingham City to reduce pupil mobility.
- Provide a parenting experience that encourages positive behaviour, attendance at school and that builds on a child/young person’s aspirations.
- Avoid persistent absenteeism, exclusions or poor behaviour that means that children are at risk of exclusion in a mainstream school setting.
- Ensure that children access health services (dentists, GPs etc.) to reduce the likelihood of absence from schools.
- Improve the social and emotional wellbeing of children in care to support their self-confidence and self-esteem.
- Contribute to the child/young person’s attainment, achievement and progress at school/college.

Impact

Children in care are often negatively impacted by their experiences in their families before being accommodated. There is a wealth of national research that evidences that these historical experiences will impact on the outcomes for that child/young person for the rest of their lives. Whilst care provides a safe and stable environment and often mitigates the impact of these experiences (particularly where children have been in care from a young age or for a significant amount of time) the outcomes of this cohort are generally worse than their peers.

Provision data re: educational attainment and broader outcomes for CiC was presented to the Finance Sub-Committee.

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2018/19

Schools Forum – Central Expenditure Contribution

Impact Statement

Schools Forum contribution to ‘Safeguarding Training’ is the education element of partnership funding to the Nottingham City Safeguarding Children Board (NCSCB) and other partnership safeguarding interventions.

Background

Section 13 of the Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board (LSCB) for their area and specifies the organisations and individuals (other than the local authority) that should be represented on LSCBs. LSCBs should be independent and Working Together 2015 requires that they have an Independent Chair.

“All LSCB member organisations have an obligation to provide LSCBs with reliable resources (including finance) that enable the LSCB to be strong and effective. Members should share the financial responsibility for the LSCB in such a way that a disproportionate burden does not fall on a small number of partner agencies” - Chapter 3 (paragraph 19) of Working Together 2015

Overview of the Services: Nottingham City Safeguarding Children’s Board (NCSCB)

Total Budget:	£397,000
CEG Contribution:	£109,000
Other Contributions:	NCC - £114,000 Other partners - £136,000 Training Income - £25,000 (from all profit-making partners, including academies)

Funding Allocation:

Section 14 of the Children Act 2004 sets out the objectives of LSCBs, which are:

- (a) to coordinate what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area; and
- (b) to ensure the effectiveness of what is done by each such person or body for those purposes.

Regulation 5 of the Local Safeguarding Children Boards Regulations 2006 sets out that the functions of the LSCB, in relation to the above objectives under section 14 of the Children Act 2004, are as follows:

Function	Local Delivery	Impact
<p>Developing policies and procedures for safeguarding and promoting the welfare of children in the area of the authority.</p>	<p>NCSCB has a full suite of inter-agency safeguarding procedures and practice guidance available for use across the partnership. These are reviewed regularly to ensure that guidance to professionals is up to date, reflects changes in national policy or legislation, and reflects emerging safeguarding issues or themes identified in our local learning. This ensures that agencies using the Procedures can be confident that their safeguarding practice is in line with national expectations and best practice. These procedures are published and are available at: http://www.nottinghamcity.gov.uk/children-and-families/safeguarding-children-board/inter-agency-procedures-and-practice-guidance/</p> <p>The NCSCB also works to develop and approves Nottingham City's threshold document – The Family Support Pathway – which provides the partnership with a clear framework in relation to the needs of children in the City and when to make a referral.</p> <p>A further example of the work of the NCSCB in this area was that the Safeguarding Board consulted with staff about how best to enable them to access safeguarding policies and procedures. Work is underway to change our approach to work in this area</p>	<p>150% increase in access to the NCSCB website.</p>
<p>Communicating to persons and bodies in the area of the authority the need to safeguard and promote the welfare of children, raising their awareness of how this can best be done and encouraging them to do so</p>	<p>NCSCB is proactive in raising awareness about safeguarding issues in the City. They triangulate the learning from serious cases, multi-agency audit activity and other sources of intelligence to develop materials that promote knowledge and understanding. These are published and are available at: http://www.nottinghamcity.gov.uk/children-and-families/safeguarding-children-board/learning-from-practice/</p> <p>The NCSCB have recently worked to develop the 'Rethinking Did Not Attend' video and promote other resources to partners, which are made easily accessible via the NCSCB website.</p> <p>They promote free e-learning to partners on:</p> <ul style="list-style-type: none"> • Prevent • Female Genital Mutilation • Child Sexual Exploitation • Forced Marriage • Children's Attachment 	<p>There have been 6 DSL Network events since Nov 2015 with over 100 attendees at each event from schools and early year's settings.</p>

	<ul style="list-style-type: none"> • Information Sharing <p>The NCSCB also support the Designated Safeguarding Leads (DSL) Network. The DSL Network was setup initially in partnership between NCSEP and the Local Authority as an outcome of strategic work undertaken by Sarah Fielding (NCC), Peter McConnochie (NCSEP) and Clive Chambers (NCC).</p>	
Monitoring and evaluating the effectiveness of what is done by the authority and their Board partners individually and collectively to safeguard and promote the welfare of children and advising them on ways to improve	<p>The NCSCB facilitates a themed multi-agency audit programme. In 2016/17 themes were:</p> <ul style="list-style-type: none"> • Child Sexual Exploitation • Out of Hours referrals to Children's Social Care Emergency Duty Team (EDT) • Quality of plans for cases where the concern was physical abuse. • Medical Neglect. <p>The Safeguarding in Education Officer (Gillian Quincey) conducts the education element of the multi-agency audit and supports the dissemination of learning from audits back into schools. A case file audit tool for schools has been developed by the Quality Assurance Group education representative (an ADSL – ADSL pilot is funded by the Education Directorate, NCC) that should achieve greater consistency in the auditing of education files and provide a useful reference point for schools.</p> <p>The Safeguarding in Education Officer also supports schools by conducting safeguarding audits to inform their self-evaluation and improvement planning. This can also include intensive support, advice and guidance for schools that require it. This role also plays a key part in the allegations management process and the response to critical incidents. See attached case study, which reflects this work.</p>	<p>18 education audits have been completed to contribute to multi-agency themed audits. The audit of these was either undertaken by the Safeguarding in Education Officer or an ADSL.</p> <p>The auditor is required to participate in the multi-agency analysis of the case, which is a minimum of a half day discussion per themed audit.</p>
Participating in the planning of services for children in the area of the authority.	<p>The NCSCB coordinate surveys and other engagement activity across the partnership, which informs developments in local practice. For example, a survey undertaken in early 2017 highlighted that there was confusion across the partnership about the early help assessment/common assessment framework. Given this feedback, the NCSCB commissioned a review of the templates available and the training that partners can access which will provide greater clarity and</p>	

	support. These are being rolled out in 2018/19.	
Undertaking reviews of serious cases and advising the authority and their Board partners on lessons to be learned	<p>The NCSCB are responsible for the coordination of individual learning reviews and serious case reviews to ensure that partners learn from serious events and to inform developments in safeguarding practice in the City. The costs of Serious Case Reviews vary considerably but our most recent SCR cost over £45,000.</p> <p>The NCSCB use a 'cascade model' whereby each of the Board partners nominated people from their agency to attend two learning events. The premise of the cascade model was that nominees would participate in workshops to share learning and develop an understanding of the practice issues highlighted in the SCR and then disseminate the learning back in agency.</p> <p>Practitioners shared numerous examples and stories of how they had used the learning to change their practice. This included a particularly powerful example from a Designated Safeguarding Lead in a school about the impact of the learning leading directly to a young person disclosing abuse that she had never previously talked about.</p> <p>100% of participants rated the workshop model as either 'excellent' or 'good' which clearly demonstrates that attendees welcomed this model as a way to share learning and explore practice issues</p>	<p>1 SCR conducted in 2017/18</p> <p>Two rapid reviews since April 2018 (new WT 2018) – learning already disseminated.</p> <p>Learning disseminated through DSL networks and NCSCB newsletter.</p> <p>'Was Not Bought' – nominated and shortlisted for a national award.</p> <p>Now have 'Missing Appointments Matter' public video – over 60,000 views locally</p>

In addition to the above functions of the NCSCB this contribution also enables Nottingham City Council to continue to deliver a high standard of support to schools and other partners from the Local Authority Designated Officer (LADO). Whilst provision of the LADO is a statutory duty of the local authority our current offer goes over and above the statutory requirements to offer additional benefits to partners, children and families.

Working Together to Safeguard Children 2015 sets out the following criteria for a concern to be discussed with the LADO

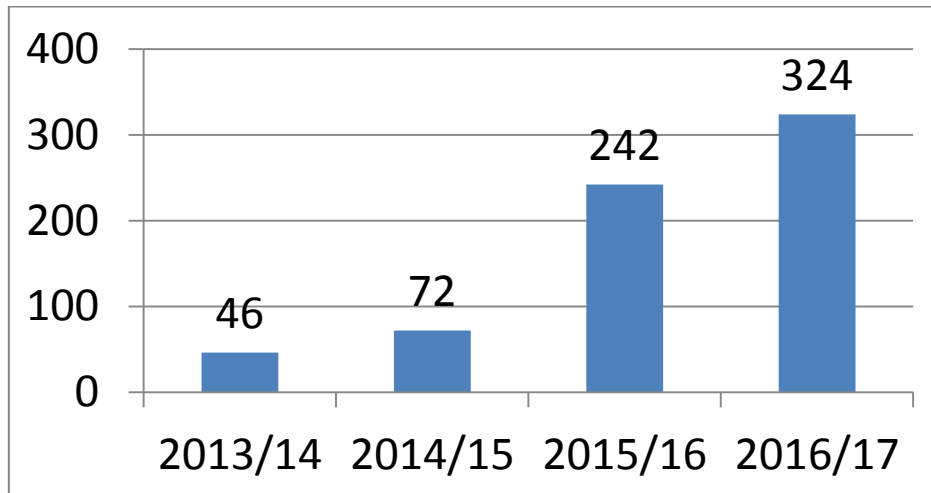
- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

In our inter-agency safeguarding procedures we have maintained the following criteria for a case to be discussed with the LADO

- Behaved in a way that indicates he / she is unsuitable to work with children

The difference may appear to be minor but it actually has significant implications in that it enables agencies to discuss wider range of concerns with the LADO. This would include for example concerns regarding conduct or professional boundary issues where the issue of harm is not immediately obvious. In our experience this type of concern is often more difficult to resolve.

LADO referrals reduced slightly in 2017/18 – there were 299 LADO referrals overall in 17/18. The diagram below shows a longer-term profile.



The majority of allegations to the LADO are from the education sector. (159 (53%) in total)

Allegations from the education sector resulted in 25 Strategy Meetings being convened. (16%)

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Schools Forum funding to Nottingham City Virtual School

September 2018

1. **Context**

- 1.1. The Children and Families Act 2014 required all local authorities in England to appoint at least one person for the purpose of discharging the local authority's duty to promote the educational achievement of its looked after children, wherever they live or are educated. That person, the Virtual School Head (VSH) must be an officer employed by the authority or another local authority in England.
- 1.2. The Children and Social Work Act 2017 expands the remit of VSHs to include the promotion of educational achievement of adopted children in England and children subject to Special Guardianship Orders.
- 1.3. The purposes of the Virtual School for Children in Care consist of:
 - Supporting with closing the attainment and progress gap between looked after children and their peers, and creating a culture of high aspirations for them.
 - Ensuring looked after children have access to a suitable range of high quality education
 - Monitor, tracking and reporting on the attendance and educational progress of the authorities' children in care.
 - Ensuring there are arrangements in place to improve the educational experiences and outcomes of their authority's children in care.
 - Ensuring every child in their authorities care has a high quality and up to date Personal Education Plan (PEP)
 - Ensuring social workers, designated teachers and schools, carers and IROs understand their role and responsibilities in promoting the education of children in care and initiating, developing, reviewing and updating the child's PEP.

- Managing and allocating Pupil Premium Plus and ensure there are arrangements in place to ensure schools are using the allocated funding to benefit the educational needs of the child.

2. **Nottingham City Virtual School**

2.1. The Nottingham City Virtual School consists of:

- Virtual School Head- Accountable for the management, activities and development of the Virtual School. This post is funded by the Dedicated Schools Grant.
- 1.5 FTE Achievement Consultants- provide advice, support and training to key stakeholders, specifically Designated teachers, social workers and teachers, in respect to the education of children care. Has responsibility for an allocation of children in care cases; monitoring and supporting their educational experience and outcomes. Attends and contributes to PEP meetings, re-integration meetings and exclusion meeting to offer advice and support. These posts are funded by the Dedicated Schools Grant.
- 3 FTE Education Support Officers- provide advice, support and training to key stakeholders, specifically carers, adoptive parents and social workers, in respect to the education of children care. Has responsibility for an allocation of children in care cases; monitoring and supporting their educational experience and outcomes. Attends and contributes to PEP meetings, re-integration meetings and exclusion meeting to offer advice and support. These posts are funded through the Dedicated Schools Grant.
- 2 FTE administrators- carrying out all the administrative tasks associated with the Virtual School; administration of Pupil Premium Plus and EPG funding, data inputting and cleansing. These posts are funded through the Dedicated Schools Grant.
- 1 FTE data lead- developing and maintaining the information management systems for the Virtual School to enable effective reporting and tracking of the authorities' children in care. This post is funded through the Dedicated Schools Grant.

3. Staffing update since the last report to Schools Forum

- 3.1. Two Education Support Officers were recruited to the Virtual School in February 2018, which brings the total number of Education Support Officers in the team to three. Funding was previously agreed for the recruitment to a senior Education Support Officer with a specific responsibility for post-16 children in care. However, it was decided that the team can better monitor, track and support individual children in care with more staff working at the same grade rather than appointing one senior level Education Support Officer.
- 3.2. As a consequence of having 5 caseworkers (3 Education Support Officers and 2 Achievement Consultants) the Virtual School has been able to implement case holding arrangements to enable a more systematic, planned and targeted approach to supporting and improving the educational needs of looked after children. Cases are allocated to each caseworker with minimum expectations of work required for each and every case.
- 3.3. The Service Manager is currently acting up as Head of the Virtual School. Sarah Fielding previously held the role but after taking up her position as Chief Executive of Nottingham Learning Trust, it was agreed it would no longer be appropriate for her to continue as the Head of the Virtual School.
- 3.4. A further review of the Virtual School structure will be carried out as part of the wider education service review, it is anticipated that any restructure will have nil cost implication to Schools Forum and the current Dedicated Schools Grant used to fund the service.

4. **Proposed Funding Allocation:**

Virtual School projected income and expenditure 2019-20				
Detail	£m	£m	£m	Description
<u>Income</u>				
Projected DSG Income		-0.470		
Local Authority Contribution		-0.017		
Total Projected Income			-0.487	
Staff costs				
Fte Head of Virtual School	0.074			In post: Responsible and accountable officer
Fte Achievement Consultant	0.065			In post: Case holds, provides advice to schools, and other professionals re: education of CiC. Provides training for Designated Teachers and facilitates the DT network and the attachment lead group.
Pte Achievement Consultant	0.038			In post As above.
Fte Education Support Officer	0.040			In post: Case holds, provides advice to schools and other professionals re: education of CiC. Provides training to carers and social workers.
Fte Education Support Officer	0.040			In post: As above
Fte Education Support Officer	0.040			In post: As above
Fte Administrator	0.026			In post: Administrates PPP funding. Administrates and oversees the collection of attendance and attainment information
Fte Administrator	0.026			In post: Administrates EPG funding. Maintains the Virtual School role, administrates and maintains the VS training Programme and coordinates the Letter Box service.

Fte Data Officer	0.035			<p>In post: currently works part-time (22 hours per work), however post required full-time. Responsible for obtaining, cleansing and reporting on all educational outcomes for children in care. Responsible for developing and maintaining the Virtual School information management systems.</p> <p>Commissioned to obtain attendance and attainment data for all our CiC.</p>
Total staff costs		0.384		
Non-pay costs				
Staff Travel, CPD and Conferences	0.003			
National Association for Virtual School Heads Subscription	0.001			
Office equipment, stationary and IT.	0.001			
Support costs				
Welfare Call	0.031			
Letter Box plus postage and package	0.020			
Designated Teacher Training, network and support costs	0.015			
Children intervention funding	0.032			
Total non-pay costs		0.103		
Total Projected expenditure			0.487	
Net Position			0.000	

5. **Outcomes and performance:**

5.1. School attendance: There has been a very slight drop in the school attendance rate for Nottingham City children in care; the percentage school attendance in the 2016-17 academic year was 94.6%, in the 2017-18 academic year, the total percentage attendance was 93.61%.

5.2. Exclusions: There have been no permanent exclusions of children in care during the 2017/18 academic year. There were 139 incidents of fixed term exclusion over the 2017/18 academic year, a decrease from the previous academic year. The breakdown of exclusion codes/reasons are noted in Table below.

Report Author: Jasmin Howell, Virtual School Service Manager.

Date: September 2018

5.3. The Virtual School were previously unable to do comparisons of exclusions between each academic year, however, new recording and reporting arrangements were developed early in 2017 to enable comparisons in exclusions data to be made year to year. The table below provides details of the number and types of fixed term exclusions experienced by our children in care in the 2016-17 academic year compared to the 2017-18 academic year:

Exclusion Code	Number of Incidents 2016-17	Percentage of incidents 2016-17	Number of Incidents 2017-18	Percentage of incidents 2017-18%
Bullying	2	1%	2	1.4
Damage	1	1%	3	2.1
Drug and alcohol related	2	1%	4	2.8
Other	84	53%	45	32.3
Persistent disruptive behaviour	15	9%	29	20.8
Physical assault against a pupil	5	3%	14	10.0
Physical assault against an adult	22	14%	10	7.19
Racist Abuse	1	1%	2	1.4
Theft	3	2%	1	0.7
Verbal abuse/threatening behaviour against a pupil	4	3%	7	5.0
Verbal abuse/threatening behaviour against an adult	20	13%	22	15.8
Grand Total	159		139	

5.4. There have been fewer incidents of fixed term exclusions experienced by our children in care in the 2017-18 academic year compared to the 2016-17 academic year.

5.5. Pupil Premium: The entire budget of Pupil Premium Plus was allocated/spent in the last **financial year** (2017-18). The table below details the number of applications received for children in care in the last **academic year** 2017-18 :

Term	Number eligible children	Number of children that did not have PPP
Autumn Term	347	21
Spring term	360	108
Summer term	380	134

5.6. Attainment: The Virtual School has not received a significant enough number of returns to report on performance for Key Stage 1 and Key Stage 2 SATs for the 2017-18 academic year.

Report Author: Jasmin Howell, Virtual School Service Manager.

Date: September 2018

5.7. In the 2017-18 academic year, the Key Stage 4 eligible LAC cohort consisted of 39 pupils (who had been in care for at least 12 months at 31st March 2018). Information for 3 pupils has not yet been provided to the Virtual School. The table below details Key Stage 4 (unverified) attainment for children in care at Key Stage 4 in the 2017-18 academic compared to the previous academic year:

Keys Stage 4 attainment *	Number		Percentage		+/- change
	16/17	17/18	16/17	17/18	
Total number in cohort	48	39			
No qualifications	5	4	10%	10%	No change
Any qualification	40	32	83%	82%	-1%
5+ GCSE A*-G	23	18	48%	46%	-2%
5+ GCSE A*-C	7	9	15%	23%	+8%
5+ GCSE A*-C, incl E & M L4+	5	7	10%	18%	+8%
E & M L4+	8	8	17%	21%	+4%

5.8. Achievement of English and Mathematics GCSE level 4 or above, has increased by 4% this year, making an increase of 10% on this measure over the last 2 years.

5.9. Achievement of 5 or more 'good' GCSEs (level 4+) has increased by 8%, making an increase of 16% on this measure over the last 2 years.

Developments in the Nottingham City Virtual School

5.10. Case allocation: Cases are allocated to each caseworker within the Virtual School team and there are standard minimum expectations in place for each case, these include: monitoring and tracking attainment and attendance, offering support and advice to improve educational outcomes and experiences of individual children, support with securing high quality and stable education provision, attendance at education meetings where required, ensuring every child in care has a PEP and the quality assurance of PEPs.

5.11. PEP review: The Virtual School are currently working on development of an electronic PEP, with an implementation timeframe of January 2019.

Report Author: Jasmin Howell, Virtual School Service Manager.

Date: September 2018

- 5.12. Training: An Annual Programme of Training is being delivered by the Virtual School again for the 2018-19 academic year. Training is available for Designated Teachers, social workers, foster carers, residential carers, adoptive parents, independent reviewing officers and school governors in respect to the education of children in care. The Virtual School also continues to facilitate the Designated Teachers Network. Attachment training and attachment resources has been funded and provided for Designated Teachers that are a part of the network to support them in their role.
- 5.13. Pupil Premium Plus: A new process for the administration and distribution of Pupil Premium Plus was implemented at the start of the 2017-18 academic year. The new arrangements provide a more effective and efficient way for the Virtual School to monitor and distribute funding and is simpler and less onerous for schools to apply for the funding. 6.3. The Virtual School also introduced an opportunity for schools to apply for additional Pupil Premium Plus funding, through an Additional Funding Request (AFR). AFR enables schools to apply for PPP when they have missed the termly funding round deadline, require funds for intervention(s) that cost over and above the allocated termly amount or where a child has moved to a new school and funding is required to support transition
- 5.14. Information and case management systems: Significant progress has been made in the development of an information and case management systems to enable effective monitoring and tracking of educational outcomes and the experience of individual children in care.

Report end.

SCHOOLS FORUM – 9 OCTOBER 2018

Title of paper:	CENTRAL EXPENDITURE BUDGET 2019/20 – On Going Commitments
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults Laura Pattman, Chief Finance Officer
Report author(s) and contact details:	Ceri Walters, Head of Commercial Finance 01158 764 128 ceri.walters@nottinghamcity.gov.uk
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Summary	
<p>This report presents the Council’s proposed Central Expenditure for “Ongoing Commitments”, for 2019/20. The central expenditure for “Historic Commitments” proposals are included in a separate report to Schools Forum on 9 October 2018.</p> <p>This report has been prepared in accordance with the financial regulations issued by the Department of Education (DfE), the Schools revenue funding 2019 to 2020 – Operational guide and forms part of the Dedicated School Grant (DSG) budget.</p> <p>The regulations and guidance state that is the requirement of Schools Forum to approve the elements of the Central Expenditure block within the DSG.</p>	
Recommendation(s):	
1	Approve the ongoing commitments budgets set out in Table 3 totalling £1.467m, noting the additional historical detail set out in Appendix A .
2	Note that the cost of Copyright Licences totalling £0.204m <u>does not</u> require approval as the licences are managed and procured by central government.
3	Note that where values are based on pupil numbers, this report is has used the latest October 2017 census however; once the latest census and final allocations issued from the DfE these figures will be updated and represented in the final budget report.

1 REASONS FOR RECOMMENDATIONS

- 1.1 To enable the development of the Schools DSG budget.
- 1.2 To ensure the Local Authority achieves the DfE statutory deadline of the 28 February 2019 for indicative budgets to be issued to Schools.
- 1.3 Under the Schools & Early Years Financial Regulations and the Schools Forum Operational Guidance issued in September 2018, Schools Forum approval is required for individual central expenditure items in the Central Schools Services Block.

1.3 The proposed central expenditure for historic commitments and the early year's central expenditure requests are being presented to Schools Forum on 9 October 2018.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 The purpose of this paper is to gain the appropriate approvals for central expenditure – ongoing commitments in order to progress the budget process.

2.2 The budget setting process aligns to the Operational Guidance issued by the Education Funding Agency in July 2018; this is set out in **Table 1** below:

TABLE 1: CENTRAL EXPENDITURE APPROVALS	
Approval required	Centrally retained service
Schools forum approval is not required (although they should be consulted)	<ul style="list-style-type: none"> • High needs block provision ✓ Central licences negotiated by the Secretary of State
Schools forum approval is required on a line-by-line basis.	<ul style="list-style-type: none"> • Funding to enable all schools to meet the infant class size requirement • Back-pay for equal pay claims • Remission of boarding fees at maintained schools and academies • Places in independent schools for non-SEN pupils ✓ Services previously funded by the retained rate of the ESG
Schools forum approval is required on a line-by-line basis. No limit on new commitments or increases in expenditure from 2018/19 to apply to Admissions and Servicing Schools Forum.	<ul style="list-style-type: none"> ✓ Admissions ✓ Servicing of Schools Forum
Schools Forum approval is required	<ul style="list-style-type: none"> • Central early years block provision • Any movement of funding out of the schools block • Any deficit from the previous funding period that is being brought forward and is to be funded from the new financial year's schools budget (this should be specifically agreed at the time the budget is set, using the latest outturn position) • Any brought forward deficit on de-delegated services which is to be met by the overall schools budget

<p>Schools forum approval is required on a line-by-line basis. The budget cannot exceed the value agreed in the previous funding period and no new commitments can be entered into since April 2013.</p>	<p>Historic Commitments</p> <ul style="list-style-type: none"> • Capital expenditure funded from revenue • Contribution to combined budgets • Existing termination of employment costs • Prudential borrowing costs • SEN transport where the Schools Forum agreed prior to April 2013 a contribution from the schools budget (this is treated as part of the high needs block but requires Schools Forum approval as a historic commitment.
<p>Schools forum approval is required on a line-by-line basis, including approval of the criteria for allocating funds to schools.</p>	<ul style="list-style-type: none"> • Funding for significant pre-16 pupil growth, including new schools set up to meet basic need, whether maintained or academy • Funding for good or outstanding schools with falling rolls where growth in pupil numbers is expected within three years

The ✓ denotes those services included in **Table 3** below.

2.3 The diagram below sets out how this approval influences the overall budget setting process for the DSG and Schools budgets.

Where approvals are being undertaken for 2019/20, including those at this meeting, the values have been included in this diagram for demonstration purposes only.

For the budget items still being developed the 2018/19 approved values have been included, again for demonstration purposes.

Elements	Central Schools Services Block	Schools Block	Early Years Block	High Needs Block	Total
Educational Settings		£203.982m in 2018/19	£21.130m in 2018/19	£26.945m in 2018/19	TBC
Pupil Growth		£1.148m in 2018/19			TBC
Historic Commitments	£5.579m in 2019/20			£1.000m in 2019/20	£6.579m
Ongoing commitments	£1.467m in 2019/20		TBC	£4.405m in 2018/19	TBC
De-delegated		£0.414m in 2018/19			£0.414m
Block Total	£7.047m	TBC	TBC		TBC
2019/20 Indicative Budget Issued	£7.047m	£206.928m	TBC	£32.350m	TBC

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 No other options are available as the recommendations align to the financial regulations issued by the DfE in relation to the allocation of DSG.

4 OUTCOMES/DELIVERABLES

- 4.1 To obtain an agreed 2019/20 Schools Budget, enabling updated schools budgets to be issued to schools within the statutory deadline of the 28 February 2019.

5 FINANCE COLLEAGUE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 5.1 The Central School Services Block (CSSB) is made up of two categories of funding:

- Historic commitments and
- Ongoing commitments (contained within this report)

Noted in **Table 2** are the budgets which are funded from the CSSB.

Commitment	Classification
CERA	Historic commitment
Prudential borrowing	Historic commitment
Termination of employment costs	Historic commitment
Contribution to combined budgets	Historic commitment
Admissions	Ongoing commitment
Copyright licences	Ongoing commitment
Schools Forum	Ongoing commitment
Retained Duties (Former ESG)	Ongoing commitment

- 5.2 The funding for this block is allocated on the following basis:
- a. **Historic commitments** – this is funded at the same level as in 2018/19 and future funding is based on previous spend.
 - b. **On Going commitment** - LA's are funded for ongoing commitments based a national formula which distributes 90% of funding according to a per-pupil factor and 10% of funding according to a deprivation factor. Both elements have been adjusted for area costs.

In 2019/20 the CSSB unit of funding for Nottingham City for ongoing commitments is £36.04 per pupil, in 2018/19 the rate was £36.96 per pupil. This is a reduction of £0.037m on last year.

It is assumed that this rate will reduce by 2.5% per annum.

The reduction in the rate has been reflected in the allocation to each service within the block

- 5.3 The Local Authority has been notified by the Education Funding Agency that the provisional CSSB total allocation for 2019/20 is £7.047m (£7.084m in 2018/19).

This figure will be updated in December 2018 once the ongoing commitments funding has been updated to reflect the pupils on the Autumn Term 2018 school census. The provisional allocation is based on the Autumn Term 2017 school census.

- 5.4 The items seeking approval in this report are for ongoing commitments only for the financial year 2019/20; the detail supporting the values are shown in **Table 3**.

As stated in 1.3 approval is being sought from Schools Forum on 9 October 2018 for the historic commitments in a separate report.

TABLE 3: CENTRAL EXPENDITURE - APPROVALS REQUIRED

Service Description	2019/20 £m	Narrative
APPROVAL REQUIRED		
1.Schools Admissions	0.585	<p>A statutory provision of coordinated admission scheme for first entry to school at primary and secondary phase. The team:</p> <ul style="list-style-type: none"> • Processes all in year admissions (2016/17 was 44,556 pupils) processing for all maintained schools and provide a provision of traded service (£0.186m) for own admissions authorities. This equates to £16 per capita for 2018/19. • Provides scrutiny of application of Admissions Code and management of compliance relating to all aspects of school admissions legislation. <p>The <u>net cost</u> of the service is £0.631m and the DSG contributes 92.7%. In addition to staffing, the cost of this service includes printing, advertising, communications and marketing, postal services and training courses on legislation and requirements of the service.</p>
2.Servicing of Schools Forum	0.032	<p>The servicing of schools forum; this cost relates to:</p> <ul style="list-style-type: none"> • The activities undertaken by Constitutional Services to ensure that Schools Forum complies with legislation in its function and membership. • Professional advice required to enable Schools Forum to make informed decisions. • Attendance at meetings – chairs briefings, Schools Forum, Sub Groups, fact finding meetings. <p>These costs equate to 0.71 FTE on average supporting the above services.</p>
3.Statutory retained duties	0.646	<p>These duties were previously funded from the Education Services Grant (ESG). From 2017/18 this grant formed part of the DSG and as such now requires approval through this process. This relates to the statutory duties held by the local Authority for all pupils.</p> <p>These figures will be updated when the latest census has been issued with the cost per pupil.</p> <p>This figure was £0.646m in 2018/19 which equated to a rate of £15.84 per pupil.</p>

ESG RETAINED ANALYSIS

		Total Cost £m
1	Director of children's services and personal staff for director	0.074
2	Planning for the education service as a whole	0.028
3	Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education	0.027
4	Administration of grants	In 6
5	Authorisation and monitoring of expenditure not met from schools' budget shares	In 6
6	Formulation and review of local authority schools funding formula	0.157
7	Internal audit and other tasks related to the authority's chief finance officer's responsibilities under Section 151 of LGA 1972 except duties specifically related to maintained schools.	0.011
8	Consultation costs relating to non-staffing issues	0.015
9	Plans involving collaboration with other LA services or public/voluntary bodies	In 1 & 6
10	Standing Advisory Committees for Religious Education (SACREs)	0.004
11	Provision of information to or at the request of the Crown other than relating specifically to maintained schools.	In 6
	<u>Education Welfare</u>	
12	Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils	0.135
13	School attendance	In 12
14	Responsibilities regarding the employment of children	In 12
	<u>Asset management</u>	
15	Management of the LA's capital programme including preparation and review of an asset management plan, and negotiation and management of private finance transactions.	0.071
16	General landlord duties for all buildings owned by the local authority, including those leased to academies.	0.056
17	Services set out in the table above will also include overheads relating to these services: <ul style="list-style-type: none"> • Ensuring payments are made in respect of taxation, national insurance and superannuation contributions. • Recruitment, training, continuing professional development, performance management and personnel management of staff. 	0.069

		<ul style="list-style-type: none"> • Investigations of employees or potential employees, with or without remuneration. • Investigation and resolution of complaints. • Legal services related to education functions. 												
		TOTAL	0.646											
TOTAL	TBC													
CONSULTATION ONLY														
4. Copyright Licences	0.204	<p>The Department for Education have been negotiating copyright licences for schools since 2013/14, prior to this; schools were responsible for purchasing their own licences. Schools Forum <u>is not</u> required to approve this.</p> <table border="1"> <thead> <tr> <th>Licences</th> </tr> </thead> <tbody> <tr> <td>CLA licence</td> </tr> <tr> <td>School Printed Music Licence</td> </tr> <tr> <td>The Newspaper Licensing Agency Schools Licence</td> </tr> <tr> <td>Educational Recording Agency licence</td> </tr> <tr> <td>Public Video Screening Licence</td> </tr> <tr> <td>Motion Picture Licensing Company licence</td> </tr> <tr> <td>Performing Rights Society licence</td> </tr> <tr> <td>Phonographic Performance licence</td> </tr> <tr> <td>Mechanical Copyright Protection Society licence</td> </tr> <tr> <td>Christian Copyright Licensing International licence</td> </tr> </tbody> </table>		Licences	CLA licence	School Printed Music Licence	The Newspaper Licensing Agency Schools Licence	Educational Recording Agency licence	Public Video Screening Licence	Motion Picture Licensing Company licence	Performing Rights Society licence	Phonographic Performance licence	Mechanical Copyright Protection Society licence	Christian Copyright Licensing International licence
Licences														
CLA licence														
School Printed Music Licence														
The Newspaper Licensing Agency Schools Licence														
Educational Recording Agency licence														
Public Video Screening Licence														
Motion Picture Licensing Company licence														
Performing Rights Society licence														
Phonographic Performance licence														
Mechanical Copyright Protection Society licence														
Christian Copyright Licensing International licence														

- 5.5 **Appendix A** shows the values of these items compared to previous years budgets and actuals.
- 5.6 Any items not approved through this report or on other central expenditure reports will:
- a) Create a financial issue for the DSG as the costs arise because of school business and
 - b) For those services that are being delivered by the Local Authority, there may not be a full saving in 2019/20 due to the impact on services, the need to then consult with stakeholders and enter into a consultation process.

6 LEGAL AND PROCUREMENT COLLEAGUE COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 6.1 The current law in force in this area is the School and Early Years Finance (England) Regulations 2018. However, these regulations apply for the financial year starting 1 April 2018 only and are updated annually. However, it will be necessary to review these proposals once 2019 regulations have been produced

Sarah Molyneux
 Head of Legal & Governance
 28 September 2018

7 HR COLLEAGUE COMMENTS

- 7.1 In the event that Schools Forum DO NOT support/agree the continuation of any proposed funding arrangements as part of this and future Reports on funding allocation, this may result in significant workforce implications that would need to be detailed in separate School Forum, Chief Officer, and/or other governance reports. This could include potential employment / contractual obligations, costs and risks to the authority, taking into account appropriate timelines. Schools Forum and Local Authority Officers need to consider potential consultation, and approval routes, where workforce implications, risks and costs should be set out and planned. This would include any legal responsibilities, and obligations to consultation, both publically or internally with the workforce.

Lynn Robinson, HR Business Lead
 1 October 2018
 Email: lynn.robinson@nottinghamcity.gov.uk
 Tel: 0115 8763605

8 EQUALITY IMPACT ASSESSMENT

- 8.1 Has the equality impact of the proposals in this report been assessed?

No x
 An EIA is not required because:
 (Please explain why an EIA is not necessary)

Yes

Attached as Appendix x, and due regard will be given to any implications identified in it.

9 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

9.1 N/A

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 DfE - Schools and Early Years Financial Regulations 2018.

10.2 DfE – The national funding formulae for schools and high needs 2019 to 2020 – July 2018

10.3 ESFA – Schools revenue funding 2019 to 2020 - Operational guide July 2018

10.4 DfE - Central school services block national funding formula – Technical note – August 2018

10.5 DfE – Schools Forum – Operational and good practice guide – September 2018

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APPENDIX A

Analysis of Ongoing Commitments 2016/17 to 2019/20

	2016/17					2017/18					2018/19				2019/20
	Budget Approved by Schools Forum/ Included in School Budget Report £m	Budget Latest £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget Approved by Schools Forum/ Included in School Budget Report £m	Budget Latest £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget Approved by Schools Forum/ Included in School Budget Report £m	Budget Latest £m	Forecast £m	Variance - Over/ (Under) budget £m	Budget £m
School Admissions	0.585	0.585	0.574	(0.011)		0.585	0.585	0.552	(0.033)	Staff vacancies	0.585	0.585	0.585	0.000	0.585
Servicing of schools forums	0.030	0.030	0.031	0.001		0.030	0.030	0.031	0.001		0.032	0.032	0.032	0.000	0.032
Copyright Licences	0.178	0.178	0.178	0.000		0.178	0.197	0.185	(0.012)		0.190	0.192	0.192	0.000	0.205
Retained Education Services	-	-	-	-		0.640	0.640	0.640	0.000		0.618	0.646	0.646	0.000	0.646
TOTAL	0.793	0.793	0.783	-0.010		1.433	1.452	1.407	-0.045		1.425	1.455	1.455	0.000	1.467

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