



NOTTINGHAM CITY COUNCIL
SCHOOLS FORUM

Date: Thursday 18 December 2014

Time: 1.45 pm

Place: Ground Floor Committee Room - Loxley House, Station Street, Nottingham,
NG2 3NG

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

Acting Corporate Director for Resources

Governance Officer/Clerk to the Forum: Laura Wilson **Direct Dial:** 0115 8764301

AGENDA

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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.

NOTTINGHAM CITY COUNCIL

SCHOOLS FORUM

MINUTES of the meeting held at Loxley House on 16 October 2014 from 1.48 pm - 4.53 pm

Membership

Present

Mike McKeever (Chair)
 Mark Precious (Vice Chair)
 Susi Artis
 Caroline Caille
 Sally Coulton
 Carole Fearria
 Sian Hampton
 Gary Holmes
 Andy Jenkins
 Judith Kemplay
 Richard Matthews
 Janet Molyneux
 Terry Smith
 James Strawbridge
 Wendy Vincent

Representing

Secondary Academies
 Primary Academies
 Trade Unions
 Primary Academies
 Maintained Secondary Schools
 Secondary Academies
 Secondary Academies
 Early Years PVI
 Maintained Primary Schools
 Maintained Primary Schools
 Maintained Primary Schools
 Maintained Primary Schools
 Maintained Primary Schools
 Primary Academies
 Pupil Referral Units

Absent

Bev Angell
 Carol Barker

The Nottingham Nursery
 Special Schools

Substitutes

Charlotte Malik (Substitute for Carol Barker)

Colleagues, partners and others in attendance:

- | | |
|-------------------|--|
| Alistair Conquer | - Head of Education Partnerships |
| Jane Daffe | - Senior Achievement Consultant, Vulnerable Groups |
| Mick Evans | - Pupil and School Services Manager |
| Jennifer Hardy | - Project Manaer, School Organisation |
| Trish Haw | - Behaviour Support Team Leader |
| Chris Hilliard | - Intermin Director of Education |
| Julia Holmes | - Finance Analyst, Children and Adults |
| Della Sewell | - Employee Relations Manager |
| Kathryn Stevenson | - Finance Analyst, Children and Adults |
| Ceri Walters | - Acting Head of Departmental Finance |
| Sheena Wheatley | - NUT |
| Michael Wilsher | - Inclusion Officer |
| Laura Wilson | - Governance Officer/Clerk to the Forum |
| Sukjhinder Johal |) Public |
| Ann Witheford |) |

1 APPOINTMENT OF CHAIR

RESOLVED to

- (1) appoint Mike McKeever as Chair until the December 2014 meeting when he retires;**
- (2) agree that the Vice-Chair will take over the role of Chair from the January 2015 meeting.**

2 APPOINTMENT OF VICE-CHAIR

RESOLVED to

- (1) appoint Mark Precious as Vice-Chair until the December 2014 meeting;**
- (3) agree that he will take over the role of Chair from the January 2015 meeting.**

3 APOLOGIES FOR ABSENCE

Bev Angell
Carol Barker

4 DECLARATIONS OF INTERESTS

A member of the Forum declared an interest in agenda item 14 (minute 14) – Funding to Support and Expanding School, and left the room prior to consideration of the item. (The details of the declaration are included within the exempt minutes)

5 MINUTES

The Forum confirmed the minutes of the meeting held on 17 July 2014 as a correct record and they were signed by the Chair.

6 WORK PROGRAMME

The work programme for the December meeting of the Forum was noted.

7 UPDATE ON THE CONSULTATION ON THE LOCAL FUNDING FORMULA FOR SCHOOLS AND THE PROPOSED CHANGES TO THE FORMULA FOR 2015/16

Ceri Walters, Acting Head of Departmental Financial Support, introduced the Finance Analyst, Children and Adults' report updating the Forum on the findings of the local funding formula consultation with schools and recommending changes to the local authority's schools funding formula for 2015/16, and highlighted the following points:

- (a) on 25 July 2014 all Head Teachers of primary and secondary schools were sent a consultation document including 2 proposals to amend the formula;**

- (b) the first proposal was regarding whether schools that incur additional fixed costs due to having more than one kitchen should be allocated additional funding to cover the costs;
- (c) the second proposal was regarding maintained schools and academies contributing towards the cost of trade union representative time off to support members;
- (d) the consultation ran until 12 September 2014 and no responses were received.

The following comments were made during the discussion:

- (e) the consultation took place while the schools were closed, apart from 5 days, which is unrealistic as people need time to consider the options if the consultation is to be meaningful;
- (f) the cost of funding for split site kitchens is approximately £25,000 per year. The total required for 2015/16 is approximately £90,000 because Heathfield Primary doesn't require funding for a full year;
- (g) the HR issues in paragraph 7.1 state '.....where it is a viable option for those schools to move to one kitchen, and the school chooses to do so.....', but the funding should be used to help amalgamate kitchens and provide value for money, so the school shouldn't be able to choose whether they keep more than one kitchen;
- (h) the position of having 2 kitchens will be reviewed annually and there needs to be a business case for schools to retain both kitchens.

RESOLVED to

- (1) **note**
 - (a) **that, as part of the 2015/16 budget setting process, a review of the formula was undertaken in conjunction with a sub-group of the Forum;**
 - (b) **the recommendations of the sub-group included amending the formula in relation to:**
 - **how schools with more than kitchen are funded; and**
 - **how money is recouped from maintained schools and academies for time off for trade union representatives (this is covered in minute 11 (d));**
- (2) **note that the recommended changes were consulted on between 25 July and 12 September 2014 and no responses were received;**
- (3) **approve the amendment to the split site factor for schools with unavoidable fixed costs due to having more than one kitchen as detailed in sections 4 and 5 and Appendix A of the report, and note:**
 - (a) **that a proviso will be attached to the funding that schools, where viable, should move to one kitchen as soon as possible and**

- produce a business case to endeavour to find alternative sources of funding to fund the capital works;**
- (b) the cost of this proposal is estimated at £90,000 in 2015/16.**

8 MINIMUM FUNDING GUARANTEE (MFG) APPLICATIONS MADE TO THE DEPARTMENT FOR EDUCATION (DfE) IN RELATION TO THE 2015/16 BUDGET

Julia Holmes, Finance Analyst, Children and Adults, introduced her report regarding the application made to DfE to request the exclusion of certain factors from the MFG calculation to ensure that affected schools receive the correct level of funding for 2015/16, and highlighted the following points:

- (a) recommendation 1 regarding the exclusion of business rates adjustments for 2014/15 for schools that have incurred significant claw-backs of funding no longer needs to be considered by the Forum;
- (b) in 2015/16 the pre-16 MFG for mainstream schools will continue to be set at - 1.5% per pupil;
- (c) the DfE will only exclude factors from the MFG where not doing so would result in excesses protection or be inconsistent with other policies;
- (d) excluding the additional funding allocated to schools with more than one kitchen means that the funding will be added to the split site factor at £25,000 per school. The schools eligible to receive the additional funding are Berridge Primary, Seely Primary, Dunkirk Primary and Heathfield Primary. This represents an increase in budget but financial regulations cap increases in MFG value per pupil to not increase by greater than 3% on the previous year;
- (e) Berridge Primary and Seely Primary are not in receipt of MFG protection in 2015/16 and will receive the full allocation without having to exclude the additional funding from the MFG calculation, therefore, no application for these schools is required;
- (f) Dunkirk Primary and Heathfield Primary would be affected and an application is required for these schools.

The Forum confirmed that it was happy with the proposal.

RESOLVED to note

- (1) the application made to the DfE by the local authority to exclude the fixed costs funding allocated to schools with more than one kitchen;**
- (2) that this will increase the level of MFG protection by £40,000.**

9 DE-DELEGATION PROPOSALS

a Behaviour Support Team

Trish Haw, Behaviour Support Team (BST) Leader, introduced her report requesting de-delegation of funding for BST services for maintained mainstream schools to enable the local authority to deliver its statutory obligations, and approve an underwrite for the continuation of non-statutory functions, and highlighted the following points:

- (a) the BST supports mainstream schools to meet the needs of children and young people experiencing behavioural, emotional and social difficulties through a wide and innovative range of services;
- (b) in the majority of cases, BST support enables the children and young people to remain in their school and prevents the cost of a permanent exclusion place at a Pupil Referral Unit or special school;
- (c) the work is delivered in collaboration with the school and is monitored/evaluated at every stage;
- (d) in the 2013/14 academic year 58 out of 62 maintained schools and 31 academies (91% of all schools) used and benefited from the BST service, with 98% of the work being evaluated as very good to excellent.

The following comments were made during the discussion:

- (e) it would be useful to have the figures for the income generated so far for 2014/15;
- (f) the intention is to be a fully traded service for non-statutory services but the money for statutory services reduces each time a school academises so it may be difficult to achieve;
- (g) an income of £98,000 plus an additional £50,000 was generated in 2013/14. If the same is generated in 2015/16 and added to the de-delegation of £273,511 it is a lot of money to pay for staff and it isn't clear what the expenditure of the service is;
- (h) some staff in the team are on permanent contracts and others are on temporary contracts;
- (i) any non-statutory services provided should be based on the income generated;
- (j) the work that the team does couldn't be out-sourced within the city;
- (k) the service provided by the BST is good but there is uncertainty around what is statutory and what isn't. This also means there is uncertainty in what schools should receive for the money they provide for statutory services;

- (l) some of the statutory services are partly paid for by the income generated from non-statutory services so it is difficult to provide one without the other;
- (m) if the money isn't allocated the team could cease to exist from the end of March 2015;
- (n) the Forum can't be asked to make decisions in an uninformed way on the expenditure of public funds;
- (o) the budget sheets for the BST service should be available so the Forum has more detail to base the decision on;
- (p) there needs to be business plans in place to support funding requests;
- (q) the service is needed by schools so it is important to ensure that the money is available for statutory services to be carried out;
- (r) the funding for Behaviour Support is given directly to academies by the Government so the team have to charge academies for the work they do.

RESOLVED to defer taking a decision until the December 2014 meeting to enable the following information to be provided:

- **the statutory services that the local authority are responsible for providing to maintained schools that only the BST can provide;**
- **how much the statutory services cost;**
- **how other authorities without a BST carry out their statutory services.**

b Ethnic Minority Achievement

Jane Daffé, Senior Achievement Consultant, Vulnerable Groups, introduced her report requesting de-delegation of funding for the Ethnic Minority Achievement (EMA) team to support children and young people with English as an Additional Language (EAL) until the service can become fully traded in 2016/17, and highlighted the following points:

- (a) over the last financial year the new IDEAL (Identity, Diversity and EAL) team brand has been successfully established with marketing of services to maintained schools and academies. External schools, other local authorities and other organisations regionally and nationally have also accessed the services and income generation has been significantly increased;
- (b) the team consists of 3 consultants and 1 administrative officer, at a total staffing cost of £180,000 per year;
- (c) in 2012/13 income generation was £26,679.46, which increased to £64,233 in 2013/14. The projected income for 2014/15 is £100,000 which is below the funding required for current staffing but it is hoped that this can continue to be increased, although, with a small team this will be a challenge.

RESOLVED

- (1) **for maintained mainstream primary and secondary school representatives, to approve the de-delegation of funding for EMA of £88.61 per EAL pupil for 2015/16 to ensure that the IDEAL team has sufficient time to create programmes and products for a fully traded service to be established in 2016/17:**
- (a) **£194,000 from maintained mainstream primary schools;**
 - (b) **£2,000 from maintained mainstream secondary schools;**
- (2) **to note the total estimated funding to be delegated to schools in 2015/16 is £405,000, which includes £209,000 to academies.**

c Sportsafe Gym Maintenance Service

Mick Evans, Pupil and School Services Manager, introduced his report requesting de-delegation of funding for gym equipment maintenance through the Sportsafe UK Ltd gym equipment maintenance service, and highlighted the following points:

- (a) the local authority has responsibility to maintain school gym equipment to ensure it complies with health and safety regulations;
- (b) Sportsafe UK Ltd are the local authority's approved supplier to inspect, repair and maintain sports and fitness equipment for maintained schools;
- (c) de-delegation means there is a designated contact point between procurement and Sportsafe UK Ltd to arrange maintenance checks and to rectify problems between scheduling visits and Sportsafe commitments. It:
 - promotes efficiency of service;
 - provides better accountability;
 - improves query response time;
 - prevents duplication of payments;
 - ensures timeliness in invoice payments;
 - ensures value for money;
 - ensures the local authority pays the best possible price for the service.

The following comments were made during discussion:

- (d) paragraph 5.2 should refer to an overall total of £21,000, not £23,000;
- (e) academies also receive the funding as part of the formula.

RESOLVED, for maintained mainstream primary and secondary school representatives, to approve the de-delegation of funding for the Sportsafe UK Ltd gym maintenance service for 2015/16:

- (a) **£20,000 from maintained mainstream primary schools;**
- (b) **£1,000 from maintained mainstream secondary schools.**

d Trade Union time off for Senior Representatives

Della Sewell, Employee Relations Manager, introduced her report requesting de-delegation of funding to enable trade union facility time for senior trade union representatives from schools to attend negotiation and consultation meetings and to represent their members in schools in 2015/16, and highlighted the following points:

- (a) as well as maintained schools contributing towards the cost in 2014/15 some academies bought back the service. As a result of this, the rate that is used needs to be realigned to take account of the additional academies that are contributing. There are 2 options for this:
 - option 1 - to reduce the lump per school from £1,650 to £1,298 and to reduce the amount per pupil from £2.00 to £1.35;
 - option 2 - to remove the lump sum of £1,650 and increase the amount per pupil from £2 to £4.49;
- (b) the full impact of the proposals is detailed in paragraph 5.2 of the report, but option 1 is being recommended to the Forum;
- (c) an increase in the number of schools that contribute will reduce the cost.

RESOLVED

- (1) for maintained mainstream primary and secondary school representatives to approve the de-delegation of funding totalling £72,000 for trade union facility time for senior trade union representatives to attend negotiation and consultation meetings and represent their schools in 2015/16:**
 - (a) £69,000 from maintained mainstream primary schools;**
 - (b) £3,000 from maintained mainstream secondary schools;**
- (2) for maintained mainstream primary and secondary school representatives to approve the recommended approach of option 1 detailed in paragraph 5.2 of the report for the funding to be de-delegated in 2015/16, and note that the cost of this proposal is estimated at £22,000 in 2015/16;**
- (3) for academy representatives to agree, in principle, for academies to continue to contribute towards the cost as well as maintained mainstream schools, and note that the basis for recharging academies will be the same as for maintained mainstream primary and secondary schools;**
- (4) to note the total funding to be delegated to schools in 2015/16 is £163,000, which includes £91,000 to academies.**

e Building Maintenance

Ceri Walters, Acting Head of Departmental Financial Support, introduced the Finance Analyst, Children and Adults' report requesting de-delegation of funding for building

maintenance to enable the local authority to deliver its statutory obligations regarding health and safety, and highlighted the following point:

- (a) the principle of the de-delegation was agreed as part of the 2013/14 and 2014/15 budget processes with any in-year underspends being transferred to a reserve to manage the peaks and troughs associated with the maintenance of maintained schools.

The following comments were made during the discussion:

- (b) It isn't clear what schools should receive for the money they provide for statutory services;
- (c) the legal advice in paragraph 6.4 of the report states 'Presumably, it is a requirement of the funding agreements of the academies that are a party to Nottingham City Schools Forum that they abide by the decisions of the Schools Forum'. It isn't clear what is meant by this and clarification is needed.

RESOLVED to defer taking a decision until the December 2014 meeting to enable the following information to be provided:

- the statutory building maintenance services that the local authority are responsible for providing to maintained schools;
- how much the statutory services cost;
- clarification of the legal advice given in paragraph 6.4 of the report.

10 UPDATE ON PUPIL GROWTH CONTINGENCY FUND

Jennifer Hardy, Project Manager, School Organisation, introduced her report updating the Forum on how the 2013/14 Pupil Growth Contingency Fund was spent and provide the projected spend for future years, and highlighted the following points:

- (a) the was fund increased at the start of this financial year but there is still a shortfall between the level of funding and the requirements of the fund;
- (b) in 2013/14 £559,000 was allocated to schools through the fund, but the total available was £550,000. The fund was spent on:

Category	Spend
Amalgamations	£50,000
Classroom set up	£77,000
Planned expansions	£250,000
Increased pupil numbers	£159,000
Miscellaneous	£23,000
Total	£559,000

- (c) in May 2009 there were 27,969 pupils on roll, this has increased steadily since then and in May 2014 there were 42,461 pupils on roll which is a 51.8% increase since May 2009;
- (d) to meet the increase in demand additional school places have been added across the city since 2010. In 2013/14 1,172 places were added and so far in

2014/15 a further 1,050 places have been added. This includes permanent expansions and bulge years;

- (e) there are still expansions being planned and in progress which will add an estimated 1,599 further places by September 2016;
- (f) the Department for Education only provide capital funding for pupil growth and the local authority is required to provide the revenue funding.

The following additional information was provided in response to questions from the Forum:

- (g) there are currently approximately 200 children without a school place, but the figure changes regularly. Some of the children without school places are because there are no places in the schools the parents want the children to attend;
- (h) when a school is set up the local authority have to cover a whole school year of lag funding;
- (i) when a free school opens the Education Funding Agency provide the funding for its first year and the local authority has to provide the funding for future years;
- (j) the local authority is responsible for ensuring children have a school place which is why it is responsible for funding for academies and free schools.

RESOLVED to

- (1) note the 2013/14 actual spend detailed in paragraph (b) above and paragraph 2.1 of the report;**
- (2) note the 2014/15 projected spend of £1.341 million detailed in paragraphs 2.6, 2.7 and 2.8 of the report;**
- (3) agree to allocate additional funding of £513,000 from the Statutory Schools Reserve to support further school expansion, increasing the Pupil Growth Contingency Fund to £1.523 million, noting that any money not spent will be returned to School Forum at the end of the financial year;**
- (4) note that the Pupil Growth Contingency Fund required for 2015/16 will be incorporated into future budget reports.**

11 PERMANENT EXCLUSIONS - INCLUSION COST RECOVERY ARRANGEMENTS FROM SEPTEMBER 2014

Michael Wilsher, Inclusion Officer, introduced his report informing the Forum that the local authority will recommence a cost recovery model for permanent exclusions for all secondary schools and academies from September 2014, and highlighted the following points:

- (a) the local authority and all city schools and academies are committed to reducing exclusions, however, there has been a significant increase in the amount of permanent exclusions from primary and secondary schools and academies;
- (b) current legislation states that the local authority is responsible for arranging suitable full time education for permanently excluded pupils from the 6th day of exclusion and, as a result of this a full cost recovery model was implemented in 2010 to ensure that funding was available for the local authority to carry out its statutory duty;
- (c) the original model included £300,000 from headroom funding to support schools in meeting the full cost recovery of £14,900 for the first year or the first 2 exclusions. Schools were only charged the Average Weighted Pupil Unit rate and the £300,000 topped up the value to £14,900;
- (d) full cost recovery continued in 2011/12 and 2012/13 but, due to changes in Learning Centre funding, it was agreed that full cost recovery would not operate in 2013/14;
- (e) the figures for permanent exclusions from secondary schools over the last 5 years are:
 - 2009/10 – 58;
 - 2010/11 – 30;
 - 2011/12 – 42;
 - 2012/13 – 27;
 - 2013/14 – 74;
- (f) the figures for permanent exclusions from primary schools over the last 5 years are:
 - 2009/10 – 10;
 - 2010/11 – 7;
 - 2011/12 – 6;
 - 2012/13 – 12;
 - 2013/14 – 21;
- (g) it is the intention to use the cost recovery to allow partnership between schools/academies and the local authority to support early intervention to reduce permanent exclusions. As well as supporting intervention projects it will also provide a mechanism to ensure the local authority can provide full time education to permanently excluded pupils if the number increase beyond the capacity of the Learning Centres;
- (h) the Average Weighted Pupil Unit will be charged for the first two permanent exclusions from any single secondary school or academy, but cost recovery of £14,900 will be effective for any further exclusions.

The following comments were made during the discussion:

- (i) there appears to be a cross-over between cost recovery and the de-delegation requested for the work of the Behaviour Support Team;

- (j) the legal advice in paragraph 6.4 says that the Forum has to approve the decision but the recommendation is for it to be noted;
- (k) if all excluded pupils can't be educated at a Learning Centre because the capacity has been reached, the local authority has to find education for them in another way which would require additional funding;
- (l) the top-up funding for Learning Centres that will take effect in April 2015 needs to recognise deprivation;
- (m) the budgets for Learning Centres and alternative provision aren't clear which makes it difficult to make a decision on cost recovery;
- (n) a sub-group of the Forum is meeting in November to look at the Learning Centre budgets for next year;
- (o) consultation documents regarding alternative provision have been sent out but not all Headteachers have been involved in the process;
- (p) there needs to be a link between the money asked for and the implications on schools budgets;
- (q) the Learning Centres don't require money so it is unclear what impact the money gained from cost recovery would have. It is also unclear how previous money from cost recovery was used;
- (r) the number of exclusions from primary schools is worrying.

RESOLVED to defer taking a decision until the December 2014 meeting to enable the following information to be provided:

- a clear description of Learning Centre budgets, including costs and funding;
- where from schools budgets the £14,900 is expected to come from;
- what the £14,900 will be used for;
- the total amount of money available for alternative provision;
- whether the Forum notes the decision or approves it.

12 DATES OF FUTURE MEETINGS

RESOLVED to meet at 1.45 pm on the following Thursdays:

<u>2014</u>	<u>2015</u>
18 December	22 January
	12 February
	23 April
	23 July

13 EXCLUSION OF THE PUBLIC

The Forum decided to exclude the public from the meeting during consideration of the remaining agenda item in accordance with Section 100A(4) of the Local Government Act 1972 on that basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

14 FUNDING TO SUPPORT AN EXPANDING SCHOOL

Jennifer Hardy, Project Manager, School Organisation, introduced her report.

Representatives from the school were in attendance for this item.

RESOLVED to approve the recommendations in the report.

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SCHOOLS FORUM WORK PROGRAMME

Title of report	Report or presentation	Author – name, title, telephone number, email address
<u>22 January 2015</u>		
1. Schools Forum sub-group work plan and terms of reference	Report	Ceri Walters, Finance Business Partner, Children and Adults 0115 8764128 ceri.walters@nottinghamcity.gov.uk
2. Update on the pupil growth contingency fund	Verbal update	Jennifer Hardy, Project Manager, School Organisation Tel: 0115 87 65629 Email: jennifer.hardy@nottinghamcity.gov.uk
3. Raising GCSE attainment initiatives	Report	Jon Rea, Engagement and Participation Lead Tel: 0115 8764817 Email: jon.rea@nottinghamcity.gov.uk

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Deadlines for submission of reports

Date of meeting	Draft reports (10.00 am)	Final reports (10.00 am)
22 January 2015	31 December	12 January
12 February 2015	22 January	2 February
23 April 2015	1 April	13 April
23 July 2015	2 July	13 July

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SCHOOLS FORUM – 18 DECEMBER 2014

Title of paper:	Proposed budget for pupil growth for 2015/16
Director(s)/ Corporate Director(s):	Pat and Sarah Fielding, Director for Education Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	Jennifer Hardy, Project Manager, School Organisation Jennifer.hardy@nottinghamcity.gov.uk 0115 87 65629
Other colleagues who have provided input:	Julia Holmes, Finance Analyst, Children and Adults Nick Lee, Head of Access and Learning
Summary	
<p>As part of the budget setting process for 2015/16, this report outlines the proposed requirements of the pupil growth contingency for 2015/16 and seeks Schools Forum's approval to allocate £1.047m of the Dedicated Schools Grant to fund this proposal. The funding will be used to fund pupil growth in both maintained schools and academies.</p> <p>As part of the budget setting process for 2015/16, the School Funding team must inform the Education Funding Agency (EFA) by mid-January 2015 on the level of funding allocated for pupil growth for academies for the period April 2015 to August 2015, from the pupil growth contingency fund.</p> <p>The Department for Education (DfE) Schools Forums: operational and good practice guidance document from October 2013 identifies central spend on and the criteria for pupil growth as one of the functions Forum are responsible for deciding on. (Page 7)</p>	
Recommendation(s):	
1	To approve the allocation of £1.047m to support pupil growth in 2015/16.
2	To note (a) the requirement to allocate funding to academies for the period April 2015 to August 2015 as guided by the EFA; (b) the amount to be allocated is £0.297m; (c) the funding will be included on the submission of the 2015/16 Authority Pro-forma Tool sent in to the EFA which includes all school budgets shares for 2015/16 and the amounts to be given out to academies for pupil growth April 2015 to August 2015; (d) the total amount of academies individual school budget shares will be netted off against the pupil growth given out for this period and the Authority's Dedicated Schools Grant for 2015/16 will be adjusted accordingly.
3	To delegate authority to the Schools Forum sub-group to consider the current criteria for allocation of funding through the pupil growth contingency fund and bring updated criteria back to Forum in spring 2015 for a decision, if required.
4	To approve that an update on the spend for the pupil growth contingency fund in 2015/16 is included as a standing item on the agenda for all future Schools Forum meetings.

1. REASONS FOR RECOMMENDATIONS

- 1.1 The pupil growth contingency fund provides funding predominantly to schools who have admitted additional school children to meet growing need for school places. The level of pupil growth in Nottingham in recent years has been substantial and by

September 2016 an additional 4,300 primary school places will have been added across the city.

- 1.2 Staffing and resource costs associated with these additional places must be funded through the pupil growth contingency fund, using the criteria agreed by Schools Forum in July 2013.
- 1.3 It is proposed to review the funding criteria mentioned above, via the sub-group of Schools Forum, to ensure it is still fit for purpose and meets the needs of schools admitting additional children, particularly as school expansions will move in to the secondary phase. If the sub-group recommend any changes to the criteria, a follow up paper will come to Schools Forum in spring 2015 to seek approval to change the criteria.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 For 2015/16, the level of funding for pupil growth requested from Schools Forum is £1.047m. In 2013/14, this was £0.500m and in 2014/15 the growth was increased to £1.523m. The table below demonstrates how the fund for 2015/16 is estimated to be spent. Full details are in Appendix 1.

Planned expansions	£0.338m
Classroom set up	£0.112m
Additional funding for academies to fund full financial years	£0.297m
Contingency	£0.300m
	£1.047m

- 2.2 Where growth funding has been provided to an academy from September 2014, there is a requirement by the EFA for local authorities to continue this payment until August 2015. In 2015/16 the pupil growth contingency will allocate £0.297m to academies for April 2015 to August 2015. This is because academies are funded based on an academic year rather than a financial year and this means that local authorities have to pass onto academies a full 12 months of funding whereas they only need to fund maintained schools for 7/12ths of the year.
- 2.3 To provide the local authority with the appropriate level of funding to continue these payments the EFA will make an adjustment to the amount recouped for academies in 2015/16. They will take the academies school budget shares and then deduct the amounts given out for pupil growth for April 2015 to August. This revised total is then the amount that is recouped.
- 2.4 In October 2014, a report was considered at the Forum to update members on the level of school expansion in the city and outlined how the previous contingency fund of £0.500m was no longer sufficient to support the level of growth in the city. For 2015/16, the known requirements for the pupil growth contingency fund total £0.747m. A further £0.300m is requested to allow for contingency. This is in line with the previous financial year where the requirements of the fund grew from £1.009m to £1.340m between January and April 2014 as more planned expansions came online.
- 2.5 Any unspent money will be returned to Schools Forum at the end of the financial year.

- 2.6 In 2014/15, the nature of school expansions changed and three schools sought to increase their numbers by two forms of entry. These are Heathfield Primary School, Djanogly Northgate and Bluecoat Academy who all increased their capacities by 420 places. Due to the nature of these expansions, a request to vary the pupil numbers at these schools was submitted to the EFA and this request was approved. This means these schools will receive the lagged funding required to grow their schools directly through their budgets and they will not require annual funding from the pupil growth contingency fund.
- 2.7 Updates on how the 2015/16 pupil growth contingency fund is spent will come to Forum as per the frequency determined through recommendation 3.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 None.

4. OUTCOMES/DELIVERABLES

- 4.1 Continued provision of required school places.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 5.1 As per paragraph 2.1 this report seeks approval to allocate £1.047m for pupil growth for both maintained schools and academies in the in the city in 2015/16. If approved the funding will be included in the 2015/16 budget and will be funded from the 2015/16 Dedicated Schools Grant settlement.
- 5.2 Included in the £1.047m funding outlined in paragraph 5.1 the School Organisation Team will be allocating £0.297m to academies in 2015/16 to fund the extra pupils they took in from September 2014. Refer to paragraphs 2.2 for an explanation as to why this is required and 2.3 to obtain an explanation as to how this money is given back to the local authority. The funding reimbursed to the Authority by the EFA will be added into the Children & Families Act Contingency.
- 5.3 As stated in paragraph 2.3 any unspent monies at the end of the financial year will be returned to the Statutory School Reserve.
- 5.4 The 2015/16 Pupil Growth for academies relating to April 2014 to August 2014 will be included in the submission of the 2015/16 school budgets to the EFA.

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

- 6.1 The EFA in 2013/14 produced a paper titled '2013-14 Revenue Funding Arrangements: Operational Guidance for Local Authorities' which outlined the ability for funding to be retained centrally for significant growth to meet basic need and to meet the cost of new schools.
- 6.2 Without this funding, 14 schools will have insufficient funding in their budgets to support increased pupil numbers.

7. HR ISSUES

7.1 Not applicable

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

10.1 Pupil Growth Contingency Fund – update and criteria setting – July 2013

10.2 Update on Pupil Growth Contingency Fund – October 2014

Appendix 1 – breakdown of schools due to receive funding from 2015/16 pupil growth contingency fund

School	Amount
Planned expansions	338,170
Blue Bell Hill	38,716
Djanogly Northgate	38,716
Dunkirk Primary	38,716
Forest Fields Primary	38,716
Glenbrook	38,716
Riverside	38,716
Rosslyn	38,716
Rufford	28,442
Sycamore	38,716
Classroom set up	112,000
Heathfield Primary	48,000
Nottingham Academy	16,000
Riverside	8,000
Rosslyn Park	8,000
Rufford	8,000
Bluecoat Primary	16,000
Glenbrook	8,000
Additional funding for academies to fund full financial years	296,766
Blue Bell Hill	27,654
Bluecoat Primary	52,630
Djanogly Northgate	27,654
Glenbrook	55,308
Nottingham Academy	27,654
Riverside	27,654
Rosslyn	22,904
Sycamore	27,654
Whitemoor	27,654
Contingency	300,000
Total	1,046,936

Appendix 2 – Equality Impact Assessment

Name and brief description of proposal / policy / service being assessed				
Proposal to increase the Pupil Growth Contingency Fund allocation to £1.5M from £500k.				
Information used to analyse the effects on equality				
Analysis of the May School census for all schools in Nottingham, to understand the impact of this funding on the pupil population of the city.				
	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>This paper discusses funding to support schools across Nottingham so the latest school census data, May 2014, was used to assess equalities impact.</p> <p>26.1% of pupils in Nottingham speak English as an Additional Language, 31.8% of children qualify for free school meals (data collected before free school meals became available for all Key Stage One pupils) and 13.4% of children in Nottingham Schools have special educational needs.</p>	Not needed.
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 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 or younger people	<input checked="" 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"/>		
Outcome(s) of equality impact assessment:				
No major change needed <input checked="" type="checkbox"/> Adjust the policy/proposal <input type="checkbox"/> Adverse impact but continue <input type="checkbox"/> Stop and remove the policy/proposal <input type="checkbox"/>				
Arrangements for future monitoring of equality impact of this proposal / policy / service:				
Not needed				
Approved by (manager signature): Jennifer Hardy, Project Manager 23 September 2014			Date sent to equality team for publishing: 23 September 2014	

SCHOOLS FORUM – 18 DECEMBER 2014

Title of paper:	De-delegation of funding for the Behaviour Support Team (BST)
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	Trish Haw, Behaviour Support Team Leader Tel: 0115 8762433 Email: trish.haw@nottinghamcity.gov.uk
Other colleagues who have provided input:	Julia Holmes, Finance Analyst, Children and Adults Lucy Juby, Service Redesign Consultant Jon Ludford-Thomas, Senior Solicitor, Legal Services
Summary	
<p>Since April 2013 funding for BST services has been part of the school formula. 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 LA/schools to meet their statutory duties. Other elements of the work of BST identified as 'non-core' are those commissioned through schools as a traded service</p> <p>The funding is targeted towards those children and young people (CYP) with Special Educational Needs and Disability (SEND) and Social Emotional Mental Health (SEMH) difficulties where CYP:</p> <ul style="list-style-type: none"> • are at high risk of exclusion; • are in Key Stage (KS) 1; • have safeguarding issues; • have barriers to progress in school. <p>This funding also contributes to BST support for schools with a LA action plan following an OFSTED report</p> <p>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 2015.</p> <p>Answers to the questions that were raised at the Forum meeting on 16 October 2014 are attached as Appendix 1.</p>	
Recommendation(s):	
1	For maintained mainstream primary and secondary schools to approve the de-delegation of funding for the statutory services provided by the BST at a total lump sum of £3,000 from maintained schools and £55.00 per eligible free school meal pupil, at a total cost of £364,948: (a) maintained mainstream primary schools - £120,000 and £202,043 - total £322,043; (b) maintained mainstream secondary schools - £6,000 and £36,905 - total £42,905.
2	If recommendation 1 is not approved, approval is sought from Schools Forum to fund any employment costs associated with the service being disbanded, this would include salary costs for April and May, excluding the severance payments which will be paid for from the Corporate Redundancy budget, from the Statutory School Reserve, and note that once the costs in relation to the notice period and pay protection if the staff are redeployed are known this value will be incorporated into the Statutory School Reserve quarterly monitoring report,

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 the LA and maintained schools by working to the following legislation:

- Children and Families Act 2014;
- Special Educational Needs (SEN) Legislation 2014;
- SEN Code of Practice (2014);
- SEND tribunals;
- The Equality Act (2010) - access to the curriculum;
- The National Award for SEN Co-ordination (2009);
- Exclusions School Discipline Regulations: Education Act (2012);
- School Attendance (Education Act 1996) and amendments 2010;
- Admissions - Schools Admissions Code 2012 (Education Act 1996);
- Ofsted Framework Sept 2012 (amended 2014).

1.2 The de delegated budget will provide the following services where the CYP has a primary need of SEMH and is presenting significant needs:

Safeguarding:

- attendance at and contribution to all initial Common Assessment Frameworks (CAFs);
- attendance at and contribution to subsequent CAFs where there is active BST involvement with CYP;
- attendance at and contribution to all child protection reviews/case conferences;
- attendance at and contribution to all child in need reviews/case meetings
- a negotiated allocation of work in school to support CYPs who have child protection (CP) status
- a negotiated allocation of work in school to support CYPs who have child in need (CiN) status.

SEND:

- attendance at and contribution to team around the school (TAS) meetings x3 per year;
- support with and contribution to Higher Level Need (HLN) (was Mainstream Support Grant) requests;
- attendance at and contribution to Person Centre Review (PCRs) for CYP where BST has active involvement;
- contribution to Education Health and Care Plan (EHCP) where BST has active involvement;
- a negotiated allocation of work with school/CYP where there is an immediate risk of permanent exclusion (or repeated fixed term exclusions) for KS1;
- a negotiated allocation of work with Foundation/KS1 CYP where behaviour seriously limits access to curriculum/learning.

Health and Safety:

- work with school/CYP to reduce immediate health and safety risks.

1.3 De-delegation for 2015/16 will also ensure that the BST can continue to be retained, thereby providing access to additional traded services. These services will include:

- inset training;
- pupil support – personalised programmes;

- play therapy/special play;
- targeted small group work – social skills, Social and Emotional Aspects of Learning (SEAL) etc;
- Teacher coaching;
- Teaching Assistant mentoring;
- CAF Lead Professional;
- Learning Mentor support;
- bespoke whole school training;
- Mid-day Supervisor training;
- risk assessment/individual handling policy training/support;
- de-escalation training/physical intervention support;
- support for children and young people where the family is deemed to be in 'acute stress';
- advice and support around safeguarding where behaviour is an issue;
- support to schools in the OFSTED overall effectiveness grade of Behaviour and Safeguarding
- RPI can be commissioned from other providers eg MAPPA, Team Teach. These may appear cheaper but are less well quality assured and do not offer tailor made interventions or support schools at strategy meetings as BST does. Schools have shown over the last 12 years that they prefer the BST training. There is currently 92% buy back from schools across the City.

1.4 Schools will keep the value and benefit from the BST's long-standing local knowledge, well established and trusting professional relationships and the working practices with the wider communities, including other support agencies. It is recognised that these are key factors when working with children and young people and their families.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 The team currently comprises 7.6 full time equivalent (fte) teachers, 4.6 fte Behaviour Learning Mentors and 1.8 administration support. The team's specialist work is delivered through all key stages in schools across the City and in neighbouring local authorities. Recent work has had a particular emphasis in primary schools around early intervention in Early Years/KS 1 and for the transition between KS 2 to KS 3 in secondary schools. The team has been able to put together bespoke packages to enable some very challenging children to be included within their school setting.

2.2 Prior to 2010 the team was not required to trade services. In subsequent years income targets were set and reached. The income raised through traded services has increased year on year. In the academic year 2013/14 of all the work delivered in school 98% was evaluated as 'very good to excellent'.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 An alternative option is to delegate funds directly to schools which could have the following consequences:

- support for new SEN processes will be reduced significantly, e.g. Higher Level Need (HLN) and EHCP;
- reduced effectiveness of the CAF due to the reduction in professionals attending;
- potential increased health and safety and safeguarding risks;
- no preventative service available to schools to support the inclusion of CYP with challenging behaviour to remain in school;

- increased risk of exclusions rising – both fixed term and permanent;
- no BST strategic advice will be 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;
- no team to deliver positive handling training;
- no City wide training;
- no provision for pupils with significant needs in Early Years and Foundation Stage and KS1 who are at risk of exclusion. As there is currently no Pupil Referral Unit (PRU) or central provision, BST offer packages in school to try and maintain the CYP's placement.
- no specific team of behaviour specialist teachers to contribute to LA action plans

4. OUTCOMES/DELIVERABLES

4.1 Outcomes include:

- reduced exclusions - of the CYP referred to us at risk of exclusion (2013-14) 95% remained in school and 84% received no subsequent exclusions;
- value for money - maintaining the CYP in school against the cost of a PRU place at £15,000 and the cost of a special school place at £20-25,000;
- increased preventative work – income from traded work has increased year on year as schools are looking at early intervention support;
- safeguarding – our work with CYP adds to existing information around safeguarding and informs Social Care;
- HLN – support to schools to identify appropriate interventions and secure additional funding.

4.2 In the academic year 2013/14, 58 out of 62 of City maintained schools have used and benefited from some aspect of the services available to them from the BST.

4.3 The income from traded work has increased year on year since 2010:

2010/11 generated £32,000

2011/12 generated £50,000

2012/13 generated £83,000

2013/14 generated £98,000

The team generates a further income each year of approximately £50,000 through delivery of positive handling training.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

5.1 Noted in Table 1 is a breakdown of the projected income and expenditure for the BST in 2015/16 with additional information in Appendix 3.

The total estimated cost of the BST in 2015/16 is £0.550m:

Income		
Projected Dedicated Schools Grant Income Statutory Services	-£0.365m	
Income from schools	-£0.160m	
SEN Income	-£0.025m	
Total Forecast Income		-£0.550m
Less Expenditure		

Projected Pay costs	£0.535m	
Projected Non-pay costs	£0.015m	
Total Forecast Expenditure		£0.550m
Variance		0

- 5.2 Based on the latest available Department of Education (DfE) indicator data and known academy conversions the proposal relating to the compulsory buy back to ensure statutory services are performed would result in maintained mainstream primary schools de-delegating £0.322m and maintained mainstream secondary schools £0.043m for 2015/16.
- 5.3 The total funding being requested through de-delegation from maintained mainstream primary and secondary schools is £0.365m.
- 5.4 This proposal would result in the delegation of an estimated £0.537m to academy schools.
- 5.5 If only the primary phase approve de-delegation, the team is still viable but a funding shortfall would need to be made up by either increasing traded services income or achieving staffing savings.
- 5.6 If the proposal outlined in recommendation 1 is not approved, as outlined in paragraph 7.1, there would be significant workforce implications. If the team were to be made redundant the redundancy costs would be met from the Corporate Redundancy budget. However, the salaries of the team would still need to be paid until the end of May 2015. Therefore, if Schools Forum do not approve the de-delegation of the funding outlined in recommendation 1 approval would need to be requested from Schools Forum to fund the salaries for the period of April and May 2015 and the pay protections costs if the staff were to be redeployed from the Statutory School Reserve. At present this value cannot be quantified. If approved the value will be updated on the Statutory School Reserve quarterly monitoring report.
- 5.7 Primary and secondary maintained mainstream school representatives are required to vote separately on behalf of schools in their phase.

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

Legal Implications

- 6.1 The Schools Forum's powers here derive from the School and Early Years Finance (England) Regulations 2013 ("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 1 January 2014.
- 6.2 Chapter 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 5 of Schedule 2 (Items That May Be Removed From Maintained Schools' Budget Shares) [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(4) (SEYFR, regulation 12(1)(d)). Part 5 of Schedule 2 of the SEYFR contains paragraph 27, 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.

6.3 Therefore, provided the proposals fall within the above legislation, Nottingham City Schools Forum has the power to approve the recommendations in this report. To be clear, that means the Schools Forum is to make the decision on whether or not to approve the recommendations in this report. In addition, by virtue of regulation 8 of the Schools Forum (England) Regulations 2012 only the representatives of the maintained primary schools and the maintained secondary schools have a vote on this. 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 In the event that Schools Forum does not support/agree the continuation of funding arrangements for non-statutory functions as outlined in the report there would be significant workforce implications that would need to be detailed in separate Chief Officer and Departmental Management Team reports. This would include potential employment / contractual obligations and costs and risks to the authority, taking into account appropriate timelines and management would need to consider potential exit payments of the affected post holders.

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 as Appendix 2

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 De-delegation of funding for the Behaviour Support Team - 5 December 2013

School's Forum – feedback to questions from the meeting on 16 October 2014

1. What are the statutory services that the local authority is responsible for providing to maintained schools that only the BST can provide?

BST has identified 'core' elements of its role which would enable the LA/schools to meet their statutory duties. Other elements of the work of BST identified as 'non-core' are those commissioned through schools as a traded service.

Examples of core support are listed below:

- provision of specialist assessment to support statutory processes - support to schools to identify appropriate interventions and / or secure additional funding;
- direct support to pupils in line with requirements of EHCP where identified at the Pupil Centred Review (PCR);
- transition support across key stages where CYP identified as needing extra support;
- Safeguarding - provision in schools to ensure behaviour is such that all pupils and staff are safe.

There is no other team of teachers in the City that works within the educational framework in schools directly with CYP's with SEMH difficulties. BST also provides significant input with high level need EYFS/KS1 where there is risk of permanent exclusion and currently no LA provision for this age group. Child and Adolescent Mental Health Services (CAMHS) work focuses on children and adults with mental health difficulties. CAMHS is NHS funded but doesn't provide services currently available from BST such as teacher support, in school support, Learning Mentor support and help with differentiating the curriculum or RPI training. Community Education Psychology Service CEPS offer some aspects of BST work but this is limited as they are largely restricted to delivering strategic development which is mainly funded by school. They have a limited capacity to pick up more SEMH work as they cover all SEND.

2. How much do the statutory services cost?

These are the services that we provide to maintained schools to contribute to the Local Authority's statutory responsibilities through the de delegated budget.

The average cost to a school to provide the services below would be a minimum of £5,000.

Over the 12 month period 2013/14 the cost of these services was in excess of £400,000.

Safeguarding

- attendance at and contribution to all initial CAFs where SEMH is the primary need;
- attendance at and contribution to subsequent CAFs where there is active BST involvement with CYP;
- attendance at and contribution to all child protection reviews/case conferences;
- attendance at and contribution to all CiN reviews/case meetings;
- a negotiated allocation of work in school to support CYPs who have CP status;
- a negotiated allocation of work in school to support CYPs who have CiN status.

SEND

- attendance at and contribution to TAS meetings x 3 per year;
- support with and contribution to HLN requests;
- attendance at and contribution to PCRs for CYP where BST has active involvement;
- a negotiated allocation of work with school/CYP where there is an immediate risk of permanent exclusion (or repeated fixed term exclusions) for KS1;
- a negotiated allocation of work with Foundation/KS1 CYP where behaviour seriously limits access to curriculum/learning.

Health and Safety

- work with school/CYP to reduce immediate health and safety risks and support with risk assessments and handling policies.

Additionally BST staff are always available for emergency telephone consultation and advice.

3. How do other authorities without a BST carry out their statutory duties?

This is the information to date:

- Derby City Council has merged their BST into their PRU funding through de-delegation of funding and uses the team to support a one day a week placement for 6 weeks for identified CYP. They don't work in school with individual CYP. They offer support for staff in school and they undertake family support. They are in the process of moving to traded services;
- Nottinghamshire County Council has closed one PRU and are in the process of closing the other two. The entire primary and the vast majority of the secondary schools are in a Behaviour Partnership to which the funding is now de-delegated. In the event of a permanent exclusion there is an annual charge of £15,000 a year per secondary pupil and £10,000 a year per primary pupil. This is used to cover alternative provision until the pupil is admitted to another school or is of school leaving age;
- in Leicester City all the primary schools agreed to de-delegate the funding to retain the BST. All training is traded to schools. They have few academies presently within the City.

EQUALITY IMPACT ASSESSMENT

Name and brief description of proposal / policy / service being assessed Schools Budget 2015-16 The purpose of this report is to provide an update on the Behaviour Team Support budget position and gain approvals required to progress the 2015-16 budget development.				
Information used to analyse the effects on equality With no funding the team will cease to be viable Number of pupils worked with 2013/14 who would be specifically impacted upon - 79				
	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			<u>Different groups:</u> <ul style="list-style-type: none"> CYP (children and young people) with SEN (special educational needs) where the SEN constitutes a disability SEMH (social emotional and mental health) CYP where their difficulties are defined as a disability "a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities" <i>Equality Act 2010</i>	To reduce negative impact of non-allocation of funding, relocate current team members to alternative teams.
Men, women (including maternity/pregnancy impact), transgender people				
Disabled people or carers				
People from different faith groups				
Lesbian, gay or bisexual people				
Older or younger people		x		
Other (e.g. marriage/civil partnership, looked after children, cohesion/good relations, vulnerable children/adults)				

			school by BST teachers for these CYP <ul style="list-style-type: none"> • risk of exclusions increasing • increased health and safety risks • risk of indirect discrimination against these CYPs 	
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Outcome(s) of equality impact assessment:
 No major change needed 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:
 There will be ongoing monitoring

Approved by (manager signature):
 Alison Michalska, Corporate Director for Children and Adults
 ☎ 01158 763 332
 ✉ alison.michalska@nottinghamcity.gov.uk

Date sent to equality team for publishing:

APPENDIX 3

	Sold service £000's		SEN £000's		De delegation Stat £000's		Total Income £000's	
Income	-160		-25		-365		-550	
Expenditure	FTE's	Cost £'000s	FTE's	Cost £'000s	FTE's	Cost £'000s	Total FTE's	Total Cost £'000s
Payroll Costs	4.5	170k	0.8	5k	8.5	370k	13.8	545
Non-pay Costs		4.8k		0.6		9.6		15

1. Non-statutory is our 'sold service' therefore the de-delegated funding is spent entirely on statutory. This is how our work has shifted over the past year
2. De-delegation does not contribute to any sold services
3. Schools are therefore not paying twice

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SCHOOLS FORUM - 18 DECEMBER 2014

Title of paper:	De-delegation of 2015/16 Health and Safety Building Maintenance funding
Director(s)/ Corporate Director(s):	Alison Michlaska, Corporate Director for Children and Adults
Report author(s) and contact details:	Julia Holmes – Finance Analyst, Children and Adults Tel: 0115 8763733 Email: julia.holmes@nottinghamcity.gov.uk
Other colleagues who have provided input:	Ceri Walters, Acting Head of Departmental Financial Support Andrew Fletcher, Team Leader Property Safety and Compliance Tom Stevens, Service Redesign Consultant Jon Ludford-Thomas, Senior Solicitor

Summary

The purpose of this report is to update Schools Forum on the statutory and legislative responsibilities of the Local Authority (LA) in relation to health and safety maintenance and testing of maintained school properties and how the funding requested to be de-delegated is used to support this. This information was requested at the last Schools Forum meeting on 16 October 2014 when the report “De-delegation of 2015/16 Building Maintenance funding for maintained mainstream primary and secondary schools” was presented.

This report seeks approval from Schools Forum to de-delegate the funding for schools health and safety building maintenance for maintained primary and secondary schools in 2015/16.

Recommendation(s):

1	To note the statutory and legislative responsibilities of the LA in relation to Health and Safety Building Maintenance of maintained mainstream primary and secondary schools and the type of costs that the requested funding will be used to fund, detailed in paragraph 1.6.
2	For maintained mainstream primary and secondary schools to approve the de-delegation of the Health and Safety Building Maintenance funding in 2015/16: (a) maintained mainstream primary schools - £0.171m; (b) maintained mainstream secondary schools - £0.028m.
3	To note the total funding requirement for health and safety testing and inspections on maintained primary and secondary school sites for 2015/16 is £0.199m.

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.
- 1.2 The Health and Safety at Work Act 1974 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”. Section 3 of the Act, General Duty to Others requires employers to conduct their undertaking in a way that does not pose risk to the health and safety of non-employees. This section is designed to give protection to the general public and other non-employees such as children at school and contractors.
- 1.3 As the employer the LA has legal responsibilities and the key regulations that must be abided by are:

The Management of Health and Safety at Work Regulations 1999
The Management of Health and Safety Regulations 1999
The Corporate Manslaughter and Corporate Homicide Act 2007
The Young Person's Safety Act 1995

- 1.4 To meet the statutory responsibilities the Property Safety and Compliance Team 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 schools, and ensure that all property health and safety issues are addressed. In order to ensure that the health and safety arrangements within the LA are effective there must be systems in place to ensure that risks which arise from the organisations activities are identified and controlled.
- 1.5 If Schools Forum do not agree to de-delegate this funding in order for the LA to continue to meet it's statutory and legal responsibilities the LA will still manage the programme of testing and inspections and will then recharge maintained schools.
- 1.6 The funding requested to be de-delegated in this report in 2015/16 is to be used to fund the tests and inspections in maintained primary and secondary schools. These tests and inspections include:
- Air Conditioning Units
 - Automatic Doors
 - Boilers
 - Circuit Testing
 - Emergency Lighting
 - Fire Alarms
 - Heat Pumps
 - Intruder Alarms
 - Bi-annual Legionella Risk Assessments*
 - Lifts Lightning Protection
 - Pressure Sets
 - Stage Lighting

*Maintained primary and secondary schools manage the ongoing water management and enter readings onto the LA's system (SERUM). This is then monitored by the Schools Risk Health and Safety Manager, David Thompson. Technical support is then offered by the Property Safety and Compliance Team on out of scope readings.

- 1.7 Any remedial works that are required due to schools failing any tests or inspections will be paid for by the individual schools concerned.
- 1.8 Approval of the de-delegation of Health and Safety Building Maintenance is required for maintained mainstream school sites to enable the LA to deliver its statutory obligation regarding the Health and Safety of these sites. This principle was agreed as part of the 2013/14 and 2014/15 budget processes with any in year under spends being transferred to a 'sinking fund' to manage the 'peaks' and 'troughs' associated with the maintenance of sites.
- 1.9 Approvals for de-delegations are annual regardless of the statutory nature.

1.10 If the funding is not de-delegated and is delegated directly to schools there would be schools that would be winners and others that would be losers as some schools would incur more costs than others as the funding would not be targeted to the correct schools and the timing of when the costs were incurred may not coincide with when the funding is delegated. By de-delegating this funding it will ensure that all costs are met centrally and peaks and troughs in expenditure would be managed through the health and safety building maintenance reserve.

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

2.2 When required by Statutory Legislation and Industry Regulation, the LA will ensure that work is carried out correctly, to the relevant and applicable standard, and in a timely manner to ensure that the LA is always within the law and compliant.

2.3 A policy has been produced by the Property Safety and Compliance Team "Statutory Testing & Inspection of Fixed Installations in Nottingham City Council Properties – Policy 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.

2.4 The Property Safety and Compliance Team have put in place a timetable for tests and inspections, which reflect a combination of statutory guidance and appropriate practice. The LA uses contractors to carry out the tests and inspections that are on its framework of contractors, these include internal and external contractors. If a school fails a test or inspection then the school will be informed and it is the schools responsibility to fund any remedial works.

2.5 The timetable for tests and inspections range from daily to up to every five years dependent on the particular test or inspection.

2.6 The Property Safety and Compliance Team provide a traded service to schools which is an advisory service and if schools buy back this service the team will manage any remedial works for the school that need to be carried out after a failed test or inspection. As explained in 2.4 the LA has a framework of approved contractors which the schools can use if they buy back into this service. If the school concerned does not buy back into this service the school will have to manage the remedial works themselves. By using the Authority's framework of contractors schools are able to secure best value for money.

- 2.7 The cost of the Property Safety and Compliance Team who provide the service of arranging all the health and safety building maintenance tests and inspections are not paid from the funding requested in this report.
- 2.8 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)”.
- 2.9 On 20 December 2012 Schools Forum agreed to the compulsory buyback of building maintenance for maintained mainstream schools in 2013/14 and on 13 January 2013 in 2014/15. 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 2014 the balance on the Health and Safety Building Maintenance Reserve was £0.042m.
- 2.10 Based on the latest timetable of tests and inspections to be carried out in 2014/15 it is estimated that the forecast expenditure for 2014/15 will be approximately £0.129m.
- 2.11 Table 1 shows the budget and expenditure on the schools health and safety building maintenance in the last 2 years since the funding was de-delegated.

Year	Budget	Outturn/ Forecast	Variance	Explanation
2013/14	£0.273m	£0.231m	£0.042m	The under-spend of £0.042m at the year end was transferred to the Health and Safety Building Maintenance Reserve.
2014/15	£0.253m	£0.129m	£0.124m	Any surplus at the end of the financial year will be transferred to the Schools Health and Safety Building Maintenance Reserve at the end of the financial year end or any overspend will be drawn down from the reserve.

- 2.12 Due to the basis upon which de-delegated budgets are calculated, which is on the pupil numbers in maintained schools in the Autumn Term prior to the financial year it is going to be applied, unfortunately as schools academise the costs charged against the de-delegated funding will reduce but the budget remains the same. If at any point Schools Forum wish to review the balance on the Schools Health and Safety Building Maintenance Reserve this can be undertaken as and when required.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Delegating the budget to schools was considered however, this was not recommended due the reasons given in paragraph 1.10.

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.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 5.1 Based on the latest Department for Education indicator data and known academy conversions the proposal would result in maintained mainstream primary schools de-delegating £0.171m and maintained mainstream secondary schools de-delegating £0.028m.
- 5.2 The total Dedicated Schools Grant requirement for this proposal is estimated at £0.499m, of which £0.199m, if approved, would be de-delegated by maintained mainstream schools and £0.300m would be delegated to academies. The funding delegated to academies would be passed on through the local funding formula through the “Basic entitlement” factor and then the total of the academies Individual Schools Budget Shares is recouped by the Education Funding Agency. This calculation is based on a rate of £13.92 per pupil for both maintained schools and academies.
- 5.3 Maintained mainstream primary and secondary school representatives are required to vote separately on behalf of schools in their phase.

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

- 6.1 The Schools Forum’s powers here derive from the School and Early Years Finance (England) Regulations 2013 (“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 1 January 2014.
- 6.2 Chapter 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 5 of Schedule 2 (Items That May Be Removed From Maintained Schools' Budget Shares) [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(4) (SEYFR, regulation 12(1)(d)). Part 5 of Schedule 2 of the SEYFR contains paragraph 33, which states:

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

- 6.3 Part 5 of Schedule 2 of the SEYFR contains paragraph 37, which states:

Expenditure on the schools' specific contingency.

- 6.4 Therefore, provided the proposals fall within the above legislation, Nottingham City Schools Forum has the power to approve the recommendations in this report. To be clear, that means the Schools Forum is to make the decision on whether or not 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. 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.

6.7 It should be noted that there is no equivalent power for the Schools Forum in relation to Academies.

6.8 The EIA shows an apparent negative impact on younger people identified if the proposal were not to be implemented.

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

No

Yes – Equality Impact Assessment attached

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**

Schools Forum reports:

- Approach to setting the schools budget 2013/14 update - 20 December 2012
- Schools Budget 2014-15 - 13 January 2013
- De-delegation of 2015/16 building maintenance funding for maintained mainstream primary and secondary schools – 16 October 2014.

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 Schools and Early Years Financial (England) Regulations 2013
- The Health and Safety at Work Act 1974

Other documents:

The Royal Society for the Prevention of Accidents – Managing Safety in Schools and Colleges

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 2015/16.

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	X	X	<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"/>		

		<p>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.</p> <p>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.</p> <p>There are no staffing issues generated by this decision.</p>	
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Outcome(s) of equality impact assessment:

No major change needed 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: Julia Holmes, Finance Analyst
6 October 2014

Date sent to equality team for publishing: 6 October 2014

SCHOOLS FORUM – 18 DECEMBER 2014

Title of paper:	STATUTORY SCHOOL RESERVE 2014/15
Director(s)/ Corporate Director(s):	Alison Michlaska, Corporate Director for Children and Adults Geoff Walker, Chief Finance Officer
Report author(s) and contact details:	Ceri Walters, Finance Business Partner – Children and Adults 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 Lynne Robinson HR Business Partner 01158 764 3605 lynne.robinson@nottinghamcity.gov.uk
Summary This report presents the balance on the Statutory Schools Reserve (SSR) and confirms the latest commitments aligned to the SSR.	
Recommendation(s):	
1	Note the total value SSR as at 1 April 2014 was £12.781m as set out in Appendix A .
2	Note the latest commitments against this balance is £5.558m as detailed in Appendix B .
3	Give a view on the recommendation to utilise the Schools Forum Sub Group to undertake further reserve analysis to inform future budget processes.
4	To note the values for the risk register will be captured as part of the budget report in February 2015.

1. REASONS FOR RECOMMENDATIONS

- 1.1 To provide Schools Forum with an update on reserve balances and current commitments. This will enable the funding of future decisions to be taken with the appropriate consideration.
- 1.2 To enable the Terms of Reference of the Schools Forum Sub Group to be developed and Sub Group meetings to be established.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 This report sets out the updated position of the reserve balances which will enable the robust consideration of future funding decisions presented to the Schools Forum.

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 Department for Education (DfE) and resemble good practice.

4. OUTCOMES/DELIVERABLES

- 4.1 To ensure that Schools Forum are aware of the reserves balances held and current commitments agreed to ensure decisions about funding future requests are considered with an awareness of all resources available.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 5.1 **Appendix A** shows the reserve balance as at 1 April 2014 as £12.781m and how that balance increased from £7.511m as at 1 April 2013.

Based on the 2014/15 budget the reserve balance of £12.781m is 6% of the Dedicated Schools Grant (DSG) allocation.

- 5.2 **Appendix B** sets out the commitments currently aligned to the reserve (£5.558m). The anticipated balance as at 31 March 2015 after commitments have been allocated would be £7.466m, which would be 3.27% of the 2014/15 DSG allocation. There are no formal guidelines outlining best practice of this percentage the guidance only relates to school balances which are 5% for secondary and 8% for primary and specials schools.

- 5.2 Use of this reserve has to align to the Schools and Early Years Finance Regulations 2014.

- 5.3 In assessing the robustness of the budget a review of the risk values will be included in the 2015/16 budget report being presented to School Forum in February 2015.

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

- 6.1 The current law in force in this area is the School and Early Years Finance (England) Regulations 2013. The draft School and Early Years Finance (England) Regulations 2014 have recently been consulted on by central government with a potential date for coming into force of 1 January 2015. However, with the results of that consultation yet to be published these draft regulations could change. This report seeks to address the expected requirements of the new regulations in relation to the determination of a local authority's schools budget and how the SSR is allocated. However, it may be necessary to re-visit this, in the unlikely event that the draft regulations are not brought in or are substantially amended if they are.

7. HR ISSUES

- 7.1 Not applicable

8. EQUALITY IMPACT ASSESSMENT

- 8.1 An EIA is not needed as the report does not contain 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 - Schools Budget 2014/15 – 24 April 2014

10.2 DfE - Schools and Early Years Financial Regulations 2014.

2014/15 RESERVE BALANCES

	Budget Value £m	Statutory School Reserve (SSR) £m	Rationale	Schools Reserves £m
Opening Balance as at 1 April 2013		(7.511)		(9.509)
Schools Balances spent in 2013/14				0.524
School Action Plus	0.846	(0.106)	Spend based on demand.	
Carbon Emission Tax		0.058	The budget was based on an estimate in 2011/12. As Central Expenditure cannot increase but costs have increased, the difference has been funded from reserves. The overspend in 2012/13 was £11K and £58K in 2013/14. This scheme ends for schools in 2014/15 but Pupil Referral Units will still be part of the scheme. A budget has been allocated to fund this in 2014/15.	
BSF Wave 5		(0.173)	Slippage and will be spent in 2014/15	
Hard to place pupils - secondary	0.190	(0.178)	Use to fund Inclusion Strategy.	
Hard to place pupils - Primary	0.080	(0.067)	Annual allocation	
School re-organisation	1.069	0.017	Pupil growth	
Teacher Pension		(0.012)	Historical pension contributions	
Early years contingency	0.300	(0.258)	This is reflective of the under spend on Early Years in 2013/14 overall and is due to the funding being on a place basis. In 2015/16 this changes to participation. This will be earmarked within the reserve for that purpose as it is a specific funding stream within the DSG.	

	Budget Value £m	Statutory School Reserve (SSR) £m	Rationale	Schools Reserves £m
Alternative Provision contingency	0.304	(0.304)	Use to fund Inclusion Strategy. No budget for 2014/15.	
Early years academies	2.602	(0.228)	This is an under spend of 3 and 4 year olds in academies in 2013/14. The budget is based on places.	
Servicing Schools Forum	0.030	0.001	Support for Finance, Constitutional services and Regional Education funding Agency meetings.	
CLA/MPA Licences	0.063	(0.012)	Budget and actuals set by the Department for Education	
Post 16 high Level Needs – Further Education	1.179	(0.610)	Spend based on demand. 2013/14 was an estimated year, as it was the first year this service was managed within DSG. This service was previously managed through a different funding mechanism. The under spend in 2013/14 is reflective of a part year spend. The 2014/15 budget is set at £0.938m.	
Statemented Behaviour – SEN staffing	0.110	(0.110)	Budget established to support any costs arising from the Children & Families Act. None occurred in 2013/14 however budget has been allocated for 2014/15 to facilitate this requirement.	
Post 16 high Level Needs YPLA	0	(0.390)	This income was unbudgeted in 2013/14 and received from the YPLA to support the budgets allocated to the special schools for post 16 students. In 2014/15 this figure has been budgeted for in setting the High Needs budget.	
Exclusions – Primary	0	(0.022)	Carry Forward of balance for full cost recovery of £14,900 less AWPU	
Exclusions - Secondary	0	(0.548)	Carry Forward of balance for full cost recovery of £14,900 less AWPU. The total amount charged in 2013/14 was £92,790 which included AWPU. £0.195m to fund Inclusion Strategy.	

	Budget Value £m	Statutory School Reserve (SSR) £m	Rationale	Schools Reserves £m
Business/Water rate reductions	0	(0.166)		
Primary Loan	0	(0.035)	<p>This is historical and relates to loans to schools for building maintenance work. The payments for 2013/14 were: Warren Primary – final payment (no 3) – £12,263 Dovecote Primary – final payment (no3) - £14,363 Walter Halls – penultimate payment (no4) - £9,034</p> <p>There is only one payment due in 2014/15: Walter Halls – penultimate payment (no5) - £8,903</p> <p>The payments include interest and all loans are fully paid at the end of March 2015.</p>	
Early years under spends	7.969	(1.033)	This relates to 2 year old places and as a specific funding stream in the DSG will need earmarking within the reserve for that purpose.	
Early Years Special Education Needs for the Private, Voluntary and Independent Sector	0.050	(0.050)	This budget has been established for 2014/15 based on the DfE guidance.	
Schools Central Expenditure:				
<ul style="list-style-type: none"> Serving Vulnerable Team 	0.483	(0.011)		
<ul style="list-style-type: none"> Behaviour Support De-delegation 	0.548	0.033	Pupil numbers increase.	
<ul style="list-style-type: none"> Ethnic Minority Achievement De-delegated service. 	0.238	(0.193)	Generation of additional external income from the service, however in future years due to curriculum changes the delegation will be required.	

	Budget Value £m	Statutory School Reserve (SSR) £m	Rationale	Schools Reserves £m
<ul style="list-style-type: none"> Schools maintenance De-delegated service. 	0.273	(0.042)	Carried forward as a 'sinking fund'.	
Early Years Central Expenditure: <ul style="list-style-type: none"> Early Years support 	1.159	(0.159)	Staff vacancies	
High Needs Central Expenditure: <ul style="list-style-type: none"> Inter authority recoupment 	0.935	(0.386)	This relates to children who cross borders to attend special schools. There will be no new commitments associated with this based on the new funding formula and any future charges will relate to outstanding charges from other authorities.	
<ul style="list-style-type: none"> PRU Service 	0.319	(0.048)	Staff vacancies	
<ul style="list-style-type: none"> Learning Support Team 	0.482	(0.185)	Staff vacancies	
<ul style="list-style-type: none"> High Cost Equipment 	0.082	(0.027)	Equipment not required	
<ul style="list-style-type: none"> Inclusive Education Services 	0.114	(0.024)	Staff vacancies	
Opening Balance as at 1 April 2014		12.781		8.985

CURRENT 2014/15+ RESERVE COMMITMENTS

		Date Approved	Funding Narrative	2014/15 £m	2015/16 £m	2016/17 £m	Other Comments
1	Re-phased BSF Wave 5 funding	29 March 2012 - Agenda Item 12-03-10		0.174			See comment above in Appendix A.
2	Early Years – 2 Year old funding	DfE	Ring fenced funding and underspend in central expenditure carried forward as per financial regulations 2014, Part 2, Chapter 1 paragraph (8).	1.290			See comment above in Appendix A.
3	Strategic Partnership Bids	24 Jan 2013 - Agenda Item 7		0.061			This is the balance remaining from the £0.500m initially earmarked within this reserve for one off educational investment.
Page 52	Inclusion Strategy	21 March 2013 - Agenda Item 9	Partnership's inclusion strategy to support young people displaying challenging and/or antisocial behaviour in schools and the community. The report stated that this would be achieved by empowering the Partnership to provide a range of services which would fulfil the statutory duties of the Local Authority.	0.677			Balance recouped from school exclusions – element to be allocated to Nottingham City Secondary Education Partnership. £0.190m for Fair Access for 2014/15 comes from DSG annual budget. £0.867m paid in total.
5	E-learning Centres	27 Jan 2011 - Agenda Item 11-01-17	To underwrite the service until fully traded. The allocation was £0.456m in 2011/12 and £0.364m in 2012/13.	0.150			Slippage in spend due to income received from schools however changes to this service are being implemented, no income being received and this balance is required to fund the changes and underwrite a traded post to address the new primary curriculum.

		Date Approved	Funding Narrative	2014/15 £m	2015/16 £m	2016/17 £m	Other Comments
6	Development of Modern Languages and International Education	29 March 2012 - Agenda Item 12-03-07	The retention of a post responsible for International Dimension and Modern Languages as a means of providing schools with the necessary expertise and support to develop their curriculum and external outlook. Agreed at £0.060m per annum for 2012/13 and 2013/14.	0.120			Will be spent during 2014/15 and 2015/16. The full underwrite was not required during 2012/13 and 2013/14, however due to the requirements of the new national curriculum this underwrite will be required over the next 2 years. No further underwrites will be requested.
7	School Improvement	30 Sept 2010 - Agenda Item 10-09-10	£0.270m to ensure the continuation of teaching and learning consultant support for primary schools. This funding was to mitigating any balance in income generated up to that value.	0.090			
8	Communication, Language and Literacy Development	27 Jan 2011 - Agenda Item 11-01-14	The amalgamation of grants into the DSG in 2011/12 resulted in funding received funds the cost of a CLLD Consultant. This funding ceased and it was agreed that the post of CLLD Consultant is extended for a further 3 years to focus on the transition between the Early Years Foundation Stage (EYFS) and Year 1, as Year 1 indicates lower progress than at other transition points. Funding was for £0.055m per annum for 2011/12 – 2013/14.	0.038			Slippage into 2014/15, not further funding required after this funding is used.

		Date Approved	Funding Narrative	2014/15 £m	2015/16 £m	2016/17 £m	Other Comments
9	Sustainable Schools Co-ordinator (Apr 14 – Aug 14)	29 March 2012 - Agenda Item 12-03-08	<p>In March 2010 Schools Forum released funding to recruit two Sustainable School Coordinators to develop, support and deliver sustainability projects, and provide guidance and support to the 101 Nottingham City Schools, over a two-year period. It was decided to focus this work on the internationally recognised Eco-School programme as a sustainable framework within which schools can be accredited for their work. For the top award, the Green Flag Award, there is a clear requirement to develop work on Energy Management.</p> <p>In summer 2009 Nottingham City Council set an ambitious target to reduce its own carbon emissions by 31% by 2016. The Council is a participant in the national CRC Energy Efficiency scheme, and therefore failure to achieve our carbon target will bring a substantial fine for the Council. Schools account for 35% of carbon dioxide emissions from Nottingham City Council buildings, so any work undertaken in schools saves money as well as carbon. Funding was for £0.067m per annum for 2012/13 and 2013/14.</p>	0.030			Slippage of £0.030m due to a delay in recruitment.
10	Nottingham City Secondary Education Partnership (NCSEP) – Capital Expenditure	21 March 2013 - Agenda Item 8	A number of sites have been identified to house the PRU from September onwards and discussions are still being considered to secure the most appropriate site for the PRU.	0.825			
11	Safety on school visits	24 April 2014 - Agenda Item 8	Continuation of access to advice and guidance from Education Partnerships to ensure that a consistent approach to the management of off-site visits across schools in the City is maintained and that both schools and employers are compliant with their health and safety obligations. Funding was for £0.030m for 2014/15.	0.030			

		Date Approved	Funding Narrative	2014/15 £m	2015/16 £m	2016/17 £m	Other Comments
12	Increased capacity at Westbury School	18 July 2013 - Agenda Item 7	The Local Authority (LA) has increasingly limited capacity in specialist maintained provision for pupils with social, emotional and behavioural difficulties whose needs cannot be met within mainstream schools. This issue is further compounded by the rising birth rate which is already putting significant pressure on primary places across the City. Without increasing the capacity of Westbury School, the LA will need to commission independent specialist day provision to meet the needs of this growing cohort of young people. £0.094m will be required to fund a modular building to accommodate 16 additional learners at Westbury. Spend in 2014/15 academic year.	0.037			
Page 53	Behaviour Support Team Underwrite	5 Dec 2013 - Agenda Item 8	Support of the non statutory element within this service in 2014/15.	0.106			
Page 55	14 Sustainable Schools Co-ordinator (Sep 14 - Aug 16)	26 August 2013 - Agenda Item 7	<p>The approval for this funding was originally for 2 posts for 2 years. Due to delays in recruitment the current approved funding is sufficient to fund the posts up to September 2014. The additional two years funding being requested will enable the officers to continue and develop their program until September 2016.</p> <p>The funding will enable implementation of technical and behavioural change measures, coupled with teaching from foundation aged children upwards and advice sessions for adults, using available data, over a six month period the project has reported the following savings:</p> <ul style="list-style-type: none"> • £42,000 energy savings pro rata inclusive of CRC • 132 tonnes of CO₂ savings pro rata 	0.034	0.067	0.033	

		Date Approved	Funding Narrative	2014/15 £m	2015/16 £m	2016/17 £m	Other Comments
15	Exclusions – Primary	DfE financial regs		0.022			Review requirement as part of Schools Forum Sub Group
16	Exclusions – Secondary	DfE financial regs		0.353			Review requirement as part of Schools Forum Sub Group
17	Education Service Grant reduction	23 Feb 2012	Aligns to academising schools and the impact to LA services.	0.484			
18	Nethergate place funding	BSF Wave 5	Seven additional places from September 2013. £0.041m allocated in 2013/14 and £0.029 in 2014/15.	0.029			
19	Inter authority recoupment	DfE financial regs	This relates to children who cross borders to attend special schools. There will be no new commitments associated with this based on the new funding formula and any future charges will relate to outstanding charges from other authorities.	0.386			Figure based on last years actual.
Page 56 20	Effective Early Assessment for Children in School (CAF)	17 July 2014 – Agenda item 6	<p>Investment of £0.160m on a joint strategic approach and model of delivery to support the greater shift in early help that ensures children are both safe and well, and are able to achieve their full potential.</p> <p>There is a need to secure more effective early help in the city. Areas for improvement in the system include early and timely identification and assessment of vulnerable, and potentially vulnerable, children and families, and the access to effective integrated interventions and early support across schools, the Local Authority and other partners. Further strengthening and embedding of the usage of CAF as the main recording tool for early assessment is crucial to achieving this aim.</p>	0.160			

		Date Approved	Funding Narrative	2014/15 £m	2015/16 £m	2016/17 £m	Other Comments
21	Contribution to Nottingham Safeguarding Children's Board	5 Dec 2013 - Agenda Item 6	Approve an annual contribution of £13,000 from the Dedicated Schools Grant to the NCSCB on an ongoing basis to ensure the shortfall between the income generated by the Schools and Education Safeguarding Team through the safeguarding training and the £33,000 committed is met.	0.013	0.013	0.013	
22	Schools Maintenance Sinking Fund	24 April 2014 – Budget report	Balance of de-delegated maintenance budget to support future costs in schools.	0.042			
23	Funding to support an expanding school – exempt report	24 April 2014 - Agenda Item 14	Funding to support an expanding school	0.164	0.117		
TOTAL COMMITTED				5.315	0.197	0.046	
				5.558			

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SCHOOLS FORUM – 18 DECEMBER 2014

Title of paper:	CENTRAL EXPENDITURE BUDGET 2015/16
Director(s)/ Corporate Director(s):	Alison Michlaska, Corporate Director for Children and Adults Geoff Walker, Chief Finance Officer
Report author(s) and contact details:	Ceri Walters, Finance Business Partner – Children and Adults 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 Lynne Robinson HR Business Partner 01158 764 3605 lynne.robinson@nottinghamcity.gov.uk
Summary	
<p>This report presents the Council's proposed Central Expenditure budget for 2015/16 which is prepared in accordance with the financial regulations issued by the Department of Education (DfE) and forms part of the Dedicated School Grant (DSG) budget.</p> <p>This report includes a detailed analysis of central expenditure since 2012/13 as set out in Appendix A. This appendices also includes:</p> <ul style="list-style-type: none"> • A description of the service being delivered. • Where applicable the contribution the service makes to a wider service delivery. • The educational outcomes of the service. <p>Appendix B provides some benchmarking information taken from statutory returns.</p>	
Recommendation(s):	
1	Approve Schools Block central expenditure for 2015/16 totalling £7.065m as set out in Appendix A .
2	Approve Early Years Block central expenditure for 2015/16 totalling £1.159m as set out in Appendix A .
3	Note the High Needs Block central expenditure for 2015/16 totalling £3.186m as set out in Appendix A .
4	Note that the central expenditure has not breached in 2015/16.
5	Note that the approvals gained from this report will be incorporated into the final budget report in February 2015.
4	Give a view on the recommendation to utilise the Schools Forum Sub Group to undertake further budget discussions to inform future budget processes.
5	Give a view on the recommendation to establish a term of reference for the Schools Forum Sub Group, timeline for meetings and initial focus for discussion.

1. REASONS FOR RECOMMENDATIONS

- 1.1 To enable the development of the Schools DSG budget and for the Local Authority to achieve the deadline of the 28 February 2015 for indicative budgets to be issued to Schools, this is a DfE statutory deadline.
- 1.2 To widen the use of the Schools Forum Sub Group, to develop their Terms of Reference and identify the focus for discussions that align with other DfE deadlines and Schools Forum agendas.
- 1.3 Under the Schools Finance Regulations, Schools Forum approval is required for individual central expenditure items in the Schools and Early Years block.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The purpose of this paper is to gain the appropriate approvals in order to progress the budget process.
- 2.2 The budget setting process aligns to the Schools Funding Reform and the DfE's Schools and Early Years Financial Regulations 2014 ensuring that at least 80% of the Schools block is allocated based on pupil-led factors with the exception of statutory functions delivered by the authority.

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 2014/15 Schools Budget, enabling updated schools budgets to be issued to schools within the statutory deadline of the 31 March 2013.

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 5.1 **Appendix A** shows the line by line detail of central expenditure totals by block:
 - Schools £7.065m
 - Early Years £1.159m
 - High Needs £3.186m
- 5.2 The Schools and Early Years Financial Regulations 2014 require Schools Forum to approve the Schools and Early Years blocks with any in year under spends allocated back to the DSG reserve to be carried forward to support those services in 2015/16, this is set out in the Financial Regulations 2014, Part 2, Chapter 1 paragraph (8).
- 5.3 **Appendix A** also includes the following information by service:
 - Description of the service
 - Contribution of the service to a wider service.
 - Educational outcomes of the service.
 - 2012/13 outturn position with variance commentary where appropriate.
 - 2013/14 outturn position with variance commentary where appropriate.
 - 2014/15 budget allocation, current forecast outturn and variance commentary where appropriate. Also included is a budget spend analysis of the funding allocation.
 - 2015/16 budget allocation.

It is anticipated that this in conjunction with **Appendix B** is used to support value for money discussions by the Schools Forum Sub Group and has been included as a recommendation in this report.

5.4 Central expenditure in Schools reduced from 2012/13 to 2013/14 by £0.377m; predominantly this was due to the reduction in the requirements of the capital expenditure from revenue requirement. The budget then increased slightly by £0.078m in 2014/15 due to the increases in licences and the contribution required towards integrated payments for increasing numbers of Children in Care.

5.5 **Appendix B** includes benchmarking data from statutory returns. It has not been possible to obtain data from all areas without opening dialogues with the appropriate authorities.

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

6.1 The current law in force in this area is the School and Early Years Finance (England) Regulations 2013. The draft School and Early Years Finance (England) Regulations 2014 have recently been consulted on by central government with a potential date for coming into force of 1 January 2015. However, with the results of that consultation yet to be published these draft regulations could change. This report seeks to address the requirements of the new draft regulations, but it may be necessary for the Schools Forum to re-visit its decisions made on this report if the draft regulations are not brought in or are substantially amended if they are.

7. HR ISSUES

7.1 In the event that Schools Forum DO NOT support/agree the continuation of any funding arrangements as outlined in this budget report, there could be significant workforce implications that would need to be detailed in separate Chief Officer and Departmental Leadership Team reports. This could include potential employment / contractual obligations, costs and risks to the authority, taking into account appropriate timelines. Management need to consider potential exit payments of any affected post holders.

8. EQUALITY IMPACT ASSESSMENT

8.1 Has the equality impact been assessed?

Not needed (report does not contain proposals or financial decisions)	<input type="checkbox"/>
No	<input type="checkbox"/>
Yes – Equality Impact Assessment attached	<input checked="" type="checkbox"/>

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 DfE - Schools and Early Years Financial Regulations 2014.

10.2 DfE – Children’s & Families Act 2014

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

2015/16 School Central Expenditure Approvals

This report presents the Council's proposed Central Expenditure budget for 2015/16 which is prepared in accordance with the financial regulations issued by the Department of Education (DfE) and forms part of the Dedicated School Grant (DSG) budget.

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"/>	If any of the central expenditure items are not approved it will result in a reduction in staffing.	Any expenditure item not approved can be taken to the Secretary of State by the Local Authority to over ride the decision.
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"/>		

Outcome(s) of equality impact assessment:				
No major change needed <input checked="" type="checkbox"/> Adjust the policy/proposal <input type="checkbox"/> Adverse impact but continue <input type="checkbox"/> Stop and remove the policy/proposal <input type="checkbox"/>				
Arrangements for future monitoring of equality impact of this proposal / policy / service:				
Approved by (manager signature):			Date sent to equality team for publishing:	
Contact Details: Alison Michlaska, Corporate Director for Children and Adults ☎ 01158 763 332 ✉ alison.michlaska@nottinghamcity.gov.uk				

CENTRAL EXPENDITURE ANALYSIS

APPENDIX A

DESCRIPTION OF SERVICE	CONTRIBUTION TO THE WIDER SERVICE	EDUCATIONAL OUTCOMES	CENTRAL EXPENDITURE TITLE	2012/13		2013/14		2014/15				2015/16						
				Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	BUDGET ANALYSIS			Budget £m			
								Income Budget £m	Emp'ees Budget £m	Non-pay Budget £m	Budget £m	Forecast £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m			
SCHOOLS BLOCK																		
Statutory provision of coordinated admission scheme for first entry to school at primary and secondary phase. In year admissions processing for all maintained schools and provision of traded service for own admissions authorities. Scrutiny of application of Admissions Code and management of compliance relating to all aspects of school admissions legislation.	Critical in terms of ensuring children and young people are placed in accessible school places. Therefore contributing to good attainment, attendance and safeguarding outcomes. Managing School Admission Forum to enable communication and dissemination of good practice, policy and legislative changes between LA, maintained schools and academies.	Improved progress and attainment by efficient placement of pupils into school of parental preference.	School Admissions	0.584	0.584	0.000		0.584	0.584	0.000		0.473	0.112	0.585	0.480	(0.105)	Staff Vacancies	0.585
Cost of support to Schools Forum from Finance, Constitutional Services, HR and Legal.	N/A	N/A	Servicing of schools forums	0.000	0.000	0.000		0.030	0.028	(0.002)		0.030		0.030	0.027	(0.003)		0.030
This budget is used to pay for ongoing pension, redundancy and pay protection associated from historic and current restructures.	N/A	Improvements to the educational staffing structure to support improvements in educational delivery.	Termination of Employment Costs	1.609	1.609	0.000		1.609	1.612	0.003		1.609		1.609	1.609	0.000		1.609
This expenditure supports improvements in school buildings, the main elements are funding Health and Safety and Condition (H&S&C) work, Accessibility works and Private Finance initiative payments relating to building elements. Taking these in order the H&S&C funding was created at a time when Devolved Formula Capital allocations to schools had been dramatically reduced by the Government. The funding allows schools to bid in for works to improve educational outcomes, largely through addressing health and safety and conditions outcomes (from fire alarms to windows and roofing) that schools may otherwise find difficult to meet. In the last three years the fund has been oversubscribed with c£4m of bids, compared to c£1m of available funding. The fund is open to maintained schools and academies. The Accessibility works help fund works to allow children with certain disabilities to be educated within a mainstream school, which would not be possible without the modifications, for example creating wheelchair access/ramps, modifying toilets and creating changing/hygiene rooms.	Supports the delivery of the capital programme for schools Through the Public Finance Initiative commitments, Schools Forum committed a certain level of funding to meet the ongoing costs arising out of the Building Schools for the Future programme. An element of these costs relating to part of the capital element of payments for Big Wood and Oak Field are represented in the CERA. This represents an ongoing contractual commitment which the Council entered into on the basis that Schools Forum had committed to support the scheme on an ongoing basis	Improved condition and accessibility in schools which will help children learn in appropriate environments, including allowing children with disabilities to experience mainstream education, which should have a positive impact on their educational achievements. At the same time the funding tries to ensure that schools have more of their delegated school budgets to spend directly on education by addressing background condition and accessibility issues. Improved condition and accessibility in schools which will help children learn in appropriate environments, including allowing children with disabilities to experience mainstream education, which should have a positive impact on their educational achievements.	Capital Expenditure from Revenue Accounts	2.109	1.738	(0.371)	Underspend on BSF programme £0.121m and £0.250m for Farnborough School	1.508	1.335	(0.173)	BSF Wave 5 delay. Slippage into 2014/15.		1.508	1.508	0.892	(0.616)	Based on current programme.	1.508
This funding is used to meet borrowing commitments around the initial set up costs of the Building Schools for the Future Programme and Nottingham Academy. The majority of funding is being used to meet the ongoing financing obligations created through Prudential Borrowing taken out to facilitate the initial procurement of the BSF programme, which in turn led to the development of the delivery of both the Academies and Primary Capital Programmes. In total these programmes brought in c£200m of investment from government grants into the city across a range of schools. One element of the funding is also used to meet borrowing commitments taken out in order to deliver Nottingham Academy. The Council only took out Prudential Borrowing on these schemes once Schools Forum had agreed to meet these ongoing commitments.		The aforementioned programmes have been instrumental in changing the nature of the secondary school estate in Nottingham and has provided investment in a number of schools which allow children to be educated appropriate settings and have cleared a significant maintenance backlog which has in many cases allowed the leadership of schools to focus on the use of buildings rather than their maintenance.	Prudential borrowing costs	0.335	0.356	0.021		0.326	0.326	0.000		0.326	0.326	0.326	0.326	0.000		0.326

CENTRAL EXPENDITURE ANALYSIS

DESCRIPTION OF SERVICE	CONTRIBUTION TO THE WIDER SERVICE	EDUCATIONAL OUTCOMES	CENTRAL EXPENDITURE TITLE	2012/13		2013/14		2014/15					2015/16					
				BUDGET ANALYSIS		BUDGET ANALYSIS		BUDGET ANALYSIS		BUDGET ANALYSIS		Variance - (Over/Under) budget £m	Reason for Variance	Budget £m				
				Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance				Income Budget £m	Emp'ees Budget £m	Non-pay Budget £m	Budget £m
<p>Family support is provided through Extensive and Early Help Services. DSG has been used directly to fund Family Support Workers within the Extensive Services undertaking CAF activity. Our aim is to improve low educational attainment, improve attendance in schools and provide support at the earliest opportunity reducing the demand for specialist services. There is a drive to prevent children growing up to experience behavioural problems, mental illness, substance misuse, teenage parenthood, crime and antisocial behaviour all of which impact on a child's ability to reach their potential educational outcomes. The Family Support Pathway sets out how we ensure children and families receive the right help at the right time.</p> <p>The Common Assessment Framework (CAF) is key to the effective delivery of the pathway and will ensure that the needs of children and families are assessed and identified earlier and that co-ordinated multi agency action plans are produced and implemented appropriately. Educational attendance and attainment is identified as a need within the CAF. There are 6 Teams managed by Team Managers with a Specialist to provide case supervision to Family support workers. Looking across the last year the number of cases held at any one time is around 1,400. Family support workers work within an Extensive CAF using evidenced based interventions through individual and group work to reduce those issues which impact on their education and/or prepare children and their carers for school. At the end of the CAF process families are signposted to universal services and other agencies as appropriate.</p>	<p>Family Support Extensive and Early Help services are high on the national and local agenda as a key principle to achieve better outcomes at a less cost. Nottingham City is an Early Intervention City with a key priority to improve Educational Attendance and attainment of Nottingham's children. Family Support through CAF aims to break the cycles of intergenerational underachievement and deprivation experienced by some children, families in the City. The cost of educational underachievement has been projected at £18 billion per year by the London School of Economics for the Prince's Trust.</p> <p>Statistics highlight intergenerational cycles; daughters of teenage parents are three times more likely to become teenage mothers, and 65% of sons with a convicted father go on to offend themselves. Inequality also impacts; a child living in poverty is more likely to have poorer health, lower attainment and less earning potential. In Nottingham, the Children's Partnership is committed to shifting its resources towards greater prevention and early intervention. Family support contributes to reducing educational needs identified by tackling the issues identified above thereby enabling children to achieve good outcomes.</p>	<p>Family Support through their support and intervention with children and families have contributed to improvement in school attendance. They have also through their partnership working contributed to children's improvements across core subjects. Between Sept 2013 and July 2014 there have been 400 CAF's initiated and 337 completed as "Needs having been met". In the same period schools had initiated 214 CAF's.</p> <p>From the CAFs undertaken by Family Support Workers we are able to evidence improvement in the needs identified under Education and Learning. We can show that where Educational needs have been assessed as high at the beginning of the CAF process that by closure 44% of these have reduced to medium, low or completely removed. For those initially identified with medium needs in this area 55% are reduced and those initially assessed with low show 67% reduction in level of need. Our data also shows that where Education is not a presenting issue in most cases there is a need which is identified and worked with through assessment and intervention. All of the above will contribute to improved education and learning outcomes.</p>	<p>Combined Services - Family Support</p>	0.981	0.884	(0.097)	Staff Vacancies	0.981	0.981	0.000	N/A	0.981	0.981	0.000			0.981	
<p>Page 66</p> <p>This funding contributes to the cost of Nottingham's looked after child population. It supports safe and stable placements which meet the varied safeguarding, emotional wellbeing and behavioural needs of the children and young people in our care to enable them to access mainstream education provision.</p>	<p>Nottingham City Council currently supports circa 590 children in care. Committed budget to support these children totals circa £30m. This funding contributes to placements costs of this cohort of children who are in mainstream education provision. The support they receive in placement enables them to access educational opportunities in a school setting which in turn will support their development into young adults, able to live independently and make a positive contribution to their community.</p>	<p>Placement costs include a range of support for children and young people in care. As well as providing a safe and stable environment which enables young people to access learning opportunities this support helps young people to develop personal confidence, manage behavioural issues and contributes to key priorities like attendance and achievement by working with young people to ensure that they attend school and have the right plan to help them attain and make progress in line with their peers.</p>	<p>Combined Services - Integrated placements</p>	1.148	1.148	0.000		1.288	1.288	0.000			1.327	1.327	1.327	0.000	1.327	
<p>Statutory provision of educational oversight for Looked After Children, through provision of Virtual School Service comprising of Head Teacher, 2 x achievement consultants, 2x teaching assistants and admin support. Statutory provision of Elective Home Education (EHE) support service that manages overview (including ensuring safeguarding risks are managed) and provides QA support for all EHE pupils in the city.</p>	<p>Ensuring the educational needs of many of the most vulnerable pupils in city are prioritised, actioned and monitored. Supporting schools and academies to meet the individual needs and raising attainment of vulnerable pupils. Managing support network for designated teacher leads for Looked After Children (LAC). Ensuring safeguarding risk for these pupils in relation to school placements are managed.</p>	<p>Ensuring LAC pupils have high quality PEPS that ensure at least expected progress and attainment at all key stages and support meeting their individual aspirations. Ensuring EHE pupils are supported to access educational opportunities and pathways that enable them to attain and meet their own aspirations</p>	<p>Combined Services - SVG LAC</p>	0.484	0.484	(0.000)		0.483	0.472	(0.011)		-0.043	0.373	0.153	0.483	0.483	0.000	0.483

CENTRAL EXPENDITURE ANALYSIS

APPENDIX A

DESCRIPTION OF SERVICE	CONTRIBUTION TO THE WIDER SERVICE	EDUCATIONAL OUTCOMES	CENTRAL EXPENDITURE TITLE	2012/13				2013/14				2014/15				2015/16				
				Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	BUDGET ANALYSIS			Budget £m					
												Income Budget £m	Emp'ees Budget £m	Non-pay Budget £m	Budget £m	Forecast £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m	
Safeguarding training within schools	N/A	Ensures that all school employees are trained and up to date on the latest legislation regarding safeguarding of children.	Combined Services - Safeguarding Training	0.114	0.085	(0.029)	Slippage in appointment of Trainer	0.114	0.114	(0.000)			0.106	0.006		0.114	0.085	(0.029)	Staff Vacancies	0.114
The DfE began negotiating copyright licences for schools in 2013/14, prior to this schools were responsible for purchasing their own.	N/A	To enable the school to operate within legal boundaries.	Copyright Licences	0.000	0.000	0.000		0.064	0.053	(0.011)		0.000	0.000	0.103	0.103	0.100	(0.003)		0.103	
TOTAL SCHOOLS BLOCK				7.364	6.888	(0.476)		6.987	6.793	(0.194)					7.065	6.310	(0.755)		7.065	

CENTRAL EXPENDITURE ANALYSIS

DESCRIPTION OF SERVICE	CONTRIBUTION TO THE WIDER SERVICE	EDUCATIONAL OUTCOMES	CENTRAL EXPENDITURE TITLE	2012/13				2013/14				2014/15				2015/16		
				Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	BUDGET ANALYSIS			Budget £m			
EARLY YEARS BLOCK																		
The service supports the provision of funded places for 2, 3 and 4 year olds and delivers on the various statutory duties placed on the LA by relevant legislation. The service supports schools and all early years settings including day nurseries, pre-schools, nursery schools and foundation stage provision in schools, academies, free and independent schools, out of school provision and childminders. The service is staffed by A diverse range of professionals bringing expertise from both teaching and childcare/early years specialists	Maintain a Directory of Providers, who have an appropriate level of quality in order to offer 2, 3 and 4 year old funded places. Provide support to proposed childcare providers through a pathway to registration programme. Continue to expand the Early Learning Programme for 2 year-olds. Ensure providers in receipt of Early Years funding for 2, 3 and 4 year-olds understand and adhere to the requirements within the Early Years Funding Agreement and the Local Funding Guidance. Moderation of the EYFSP to include initial briefings in line with the Standards and Testing Agency (STA) guidance, agreement trialling and moderation visits to schools/academies and other settings delivering the EYFSP. Deliver and develop a range of communication strategies to ensure all sectors are kept abreast of new legislation, practice guidance and funding issues.	Through training, mentoring, advice and challenge will enable early years practitioners to develop and sustain the quality of their services in order to improve Ofsted grades to good or outstanding across the sectors and improve outcomes for children across all areas of the EYFSP. Improve the "school readiness" of all children living in the city and entering city primary phase settings.	Early Years Support on under 5's	0.494	0.456	(0.038)	Staff Vacancies	1.159	0.950	(0.209)	Staff Vacancies	0.903	0.256	1.159	1.000	(0.159)	Staff Vacancies	1.159
TOTAL EARLY YEARS BLOCK				0.494	0.456	(0.038)		1.159	0.950	(0.209)				1.159	1.000	(0.159)		13.066

CENTRAL EXPENDITURE ANALYSIS

APPENDIX A

DESCRIPTION OF SERVICE	CONTRIBUTION TO THE WIDER SERVICE	EDUCATIONAL OUTCOMES	CENTRAL EXPENDITURE TITLE	2012/13				2013/14				2014/15				2015/16			
				Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	BUDGET ANALYSIS			Variance - Over/ (Under) budget £m		Reason for Variance		
HIGH NEEDS BLOCK																			
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Fair Access	0.270	0.142	(0.128)	Hard to place pupils underspends - primary £0.080m, secondary £0.042m	0.270	0.025	(0.245)	Payment made in 2013/14 directly from reserves as part of the first payment to NCSEP.		0.270	0.270	0.190	(0.080)	0.270		
Contribution to further educational course for Asylum seekers.	Statutory requirement associated with Unaccompanied Asylum Seekers.	N/A	Other AP - Asylum Seekers course	0.149	0.108	(0.041)		0.149	0.149	0.000			0.110	0.110	0.109	(0.001)	0.110		
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Other AP - Teenage Parents	0.035	0.033	(0.002)		0.035	0.035	(0.000)		-0.004	0.036	0.003	0.035	0.030	(0.005)	0.035	
This funding contributes to the cost of children in care of statutory school age who have special educational needs or disabilities, who are in secure accommodation or who are remanded in custody. This funds the specialist educational elements of their Looked After Child Plan and placement to ensure that they are able to access appropriate education that meets their individual needs and statutory requirements.	A number of children in the looked after child cohort have very complex needs and these needs can not be met in a mainstream education setting. This incurs additional costs as placements have to be found which can support their educational needs - this may mean a placement out of the City, additional transport costs to enable young people to attend specialist provision outside of the City or high cost residential placements which include an element of direct education provision on site.	This funding supports children in care to access placements which meet their very complex needs, supporting specialist education provision to ensure these young people have access to appropriate learning opportunities.	Other AP - Education cost of residential placements	0.756	0.756	(0.000)		0.756	0.756	(0.000)			0.756	0.756	0.756	(0.000)	0.756		
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Other AP - Central PRU service	0.198	0.193	(0.005)		0.319	0.271	(0.048)	Staff Vacancies		0.255	0.064	0.319	0.275	(0.044)	Staff Vacancies	0.319
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Other AP - SEN Staffing	0.000	0.000	0.000		0.110	0.000	(0.110)			0.110	0.110	0.051	(0.059)	0.110		
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Other AP - Statemented boys behaviour	0.000	0.000	0.000		0.110	0.110	0.000			0.110	0.110	0.110	0.000	0.110		
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	SEN support services - SEN team	0.212	0.217	0.005		0.212	0.212	0.000			0.195	0.017	0.212	0.212	0.000	0.212	
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	SEN support services - SEN specialist equipment	0.082	0.019	(0.063)	Equipment not required	0.082	0.055	(0.027)	Equipment not required		0.082	0.082	0.070	(0.012)	0.082		
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Support for Inclusion - Sensory Team	0.566	0.453	(0.113)	Staff Vacancies	0.621	0.621	0.000		-0.083	0.629	0.075	0.621	0.550	(0.071)	Staff Vacancies	0.621
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Support for Inclusion - Learning Support Team	0.482	0.328	(0.154)	Staff Vacancies	0.482	0.296	(0.186)	Staff Vacancies		0.419	0.063	0.482	0.380	(0.102)	Staff Vacancies	0.482
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Support for Inclusion - Autism Team	0.444	0.394	(0.050)	Staff Vacancies	0.444	0.444	0.000		-0.003	0.434	0.013	0.444	0.444	0.000	0.444	
Statutory Requirement for the Local Authority.	Discharging the LA's statutory duty	Supporting the inclusion, educational and aspirational attainment of vulnerable city resident school age.	Support for Inclusion - General	0.114	0.085	(0.029)		0.114	0.090	(0.024)	Staff Vacancies		0.094	0.020	0.114	0.100	(0.014)	0.114	

CENTRAL EXPENDITURE ANALYSIS

DESCRIPTION OF SERVICE	CONTRIBUTION TO THE WIDER SERVICE	EDUCATIONAL OUTCOMES	CENTRAL EXPENDITURE TITLE	2012/13				2013/14				2014/15					2015/16	
				Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m	Outturn £m	Variance - Over/ (Under) budget £m	Reason for Variance	BUDGET ANALYSIS			Budget £m			
											Variance - Over/ (Under) budget £m			Reason for Variance	Budget £m			
								Income Budget £m			Emp'ees Budget £m	Non-pay Budget £m	Budget £m	Forecast £m	Variance - Over/ (Under) budget £m	Reason for Variance	Budget £m	
Statutory Provision of transport to and from special schools and academies in the City	SEN transport has seen rising costs due in the main to rising pupil numbers from 373 to 435 over the last two years. In addition existing contracts that were established through a tender exercise three years ago have now expired and new contracts are now being put in place carry higher costs. Where possible corporate insourcing has taken place making savings to this budget and allowing other services to benefit from increased capacity. All of the services have seen health and safety improvements in vehicle strappings as well as a reduction in journey times, both of which had seen quality slipping as a possible result of driving contractors to reduce costs. Budget pressures this year are in the region of £0.360m and initiatives such as increased use of travel training and new computerised route planning are being rolled out to meet this. Preparation for SEN personal budgets is underway with all efforts being made to ensure that this has as little effect as possible on the SEN budget.	Ensures access and equal opportunity for those with learning disabilities	Special Education Needs Transport	1.000	0.943	(0.057)		1.000	1.000	0.000			1.000	1.000	0.000		1.000	
Budget set by the DfE	N/A	N/A	Carbon Reduction Commitment - Pupil Referral Units	0.000	0.000	0.000		0.000	0.000	0.000			0.012	0.012	0.012	0.000		0.012
TOTAL HIGH NEEDS BLOCK				2.899	2.439	(0.460)		3.174	2.828	(0.346)			3.186	2.929	(0.257)		3.186	

Benchmarking Key:

Good comparison
Further Investigation
Poor comparison

CENTRAL EXPENDITURE TITLE	Nottingham City				Bristol City of				Leicester City				Sheffield				Hackney						
	Pupil Divisor Used 2013/14	Pupil Divisor Used 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	
SCHOOLS BLOCK																							
School Admissions			38,762	40,996	£15	£16	52,006	53,655	£9	£9	48,854	50,945	£12	£12	74,863	75,635	£7	£7	28,693	29,917	£18	£16	
Service of schools forums			38,762	40,996	£1	£1	52,006	53,655	£0	£0	48,854	50,945	£1	£1	74,863	75,635	£3	£3	28,693	29,917	£2	£2	
Termination of Employment Costs			38,762	40,996	£42	£39	52,006	53,655	£0	£0	48,854	50,945	£13	£5	74,863	75,635	£0	£0	28,693	29,917	£14	£12	
CERA			38,762	40,996	£39	£37	52,006	53,655	£0	£0	48,854	50,945	£57	£55	74,863	75,635	£17	£15	28,693	29,917	£4	£8	
Prudential borrowing costs			38,762	40,996	£8	£8	52,006	53,655	£11	£11	48,854	50,945	£0	£0	74,863	75,635	£0	£0	28,693	29,917	£0	£0	
Combined Services - Family Support	**** Total population aged between 0-17.	**** Total population aged between 0-17.	62,235	63,886	£88	£95	88,481	91,499	£67	£75	79,319	79,571	£102	£78	114,067	114,808	£100	£95	58,170	58,861	£99	£122	
Combined Services - Integrated placements																							
Combined Services - SVG LAC																							
Combined Services - Safeguarding Training																							
Copyright Licences	* Total pupils aged 3-19 from maintained schools only.	* Total pupils aged 3-19 from maintained schools only.	23,677	22,182	£1	£1	32,623	32,742	£0	£0	47,505	49,212	£1	£1	58,773	51,761	£7	£7	27,159	28,072	£2	£2	
EARLY YEARS BLOCK																							
Early Years Central Expenditure on under 5	**** Total population aged between 0-17.	**** Total population aged between 0-17.	62,235	63,886	£24	£43	88,481	91,499	£58	£63	79,319	79,571	£16	£21	114,067	114,808	£44	£76	58,170	58,861	£71	£69	

APPENDIX B

Benchmarking Key:

Good comparison
Further Investigation
Poor comparison

CENTRAL EXPENDITURE TITLE			Nottingham City				Bristol City of				Leicester City				Sheffield				Hackney				
	Pupil Divisor Used 2013/14	Pupil Divisor Used 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	Total Pupils 2013/14	Total Pupils 2014/15	Net (£) per capita 2013/14	Net (£) per capita 2014/15	
HIGH NEEDS BLOCK																							
Fair Access																							
Other AP - Asylum Seekers course																							
Other AP - Teenage Parents																							
Other AP - Education cost of residential placements																							
Other AP - Central PRU service																							
Other AP - SEN Staffing																							
Other AP - Statemented boys behaviour																							
SEN support services - SEN team	***** Total population aged between 0-19.	***** Total population aged between 0-19.	77,507	79,200	£26	£24	101,999	104,325	£20	£21	90,178	90,196	£53	£55	134,198	134,860	£28	£30	63,414	64,215	£3	£50	
SEN support services - SEN specialist equipment																							
Support for Inclusion - Sensory Team																							
Support for Inclusion - Learning Support Team																							
Support for Inclusion - Autism Team																							
Support for Inclusion - General	***** Total population aged between 0-19.	***** Total population aged between 0-19.	77,507	79,200	£6	£5	101,999	104,325	£11	£11	90,178	90,196	£9	£8	134,198	134,860	£31	£33	63,414	64,215	£21	£5	
SEN transport	** Total pupils aged 3-19 from maintained schools and recoupment academies only.	** Total pupils aged 3-19 from maintained schools and recoupment academies only.	38,762	40,996	£26	£24	52,006	53,655	£0	£0	48,854	50,945	£7	£7	74,863	75,635	£38	£38	28,693	29,917	£0	£0	
Carbon Reduction Commitment - PRU's	** Total pupils aged 3-19 from maintained schools and recoupment academies only.	*****Total population aged between 0-19.	38,762	79,200	£5	£0	52,006	104,325	£7	£0	48,854	90,196	£7	£0	74,863	134,860	£6	£0	28,693	64,215	£7	£0	

SCHOOLS FORUM – 18 DECEMBER 2014

Title of paper:	Permanent Exclusions – Full Cost Recovery Arrangements from 1 September 2014
Director(s)/ Corporate Director(s):	Pat Fielding and Sarah Fielding, Directors of Education
Report author(s) and contact details:	Michael Wilsher, Inclusion Officer Tel: 0115 8764626 Email: Michael.Wilsher@nottinghamcity.gov.uk
Other colleagues who have provided input:	Kathryn Stevenson, Children and Adults Finance Jon Ludford-Thomas, Legal Services
Summary	
<p>This report seeks approval for the Local Authority (LA) to operate a Full Cost Recovery model for permanent exclusions that will recommence for all secondary schools and academies from 1 September 2014.</p> <p>The LA and all City schools and academies are committed to reducing exclusions and using early intervention. However, there has been a significant increase in the amount of permanent exclusions from primary and secondary schools and academies. Therefore, the LA is proposing to recommence Full Cost Recovery for secondary permanent exclusions to provide a mechanism to ensure the LA can carry out its statutory duties to provide full time education to pupils permanently excluded if numbers increase beyond the Learning Centres capacity. The LA will operate a model of only charging Average Weighted Pupil Unit (AWPU) for the first two permanent exclusions of any single secondary school or academy, but Full Cost Recovery will be effective for any further exclusions. Full Cost Recovery money will be ring-fenced and used to set up or fund further provision for excluded pupils.</p> <p>Exempt information: Appendices are exempt from publication under paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to the financial or business affairs of particular individuals (including the authority holding that information) and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p> <p>It is not in the public interest to disclose this information because this information contains detailed financial information for the learning centres and initial proposals on future funding arrangements, which are yet to be determined. This information is commercially sensitive and relates to the financial and business affairs of the Local Authority.</p>	
Recommendation(s):	
1	To approve that Full Cost Recovery will recommence for all permanent exclusions issued from maintained secondary schools from 1 September 2014, at a flat rate of £14,900 after the second permanent exclusion from any single maintained secondary school.
2	To note that the LA is seeking to continue the arrangement with academies and their support for Full Cost Recovery for all permanent exclusions issued from 1 September 2014 at a flat rate of £14,900 after the second permanent exclusion from any single academy.

1. REASONS FOR RECOMMENDATIONS

- 1.1. The LA is legally responsible for the full time education of all pupils permanently excluded who live within the City boundary from the 6th day of their permanent exclusion. There have been national trials to explore pupils remaining on the roll of their schools; however, this responsibility has not changed in law. Recommencing the Full Cost Recovery model will secure funding for education for permanently excluded pupils, who are permanently excluded, but no provision can be secured at the learning centre due to capacity.
- 1.2. The recent increase in permanent exclusions means that the Denewood and Unity Learning Centre is reaching capacity. There was a consensus at the Schools Forum sub-group which met to discuss future funding for the Learning Centres that the planned place numbers at Denewood and Unity Learning Centres are higher than ideal. Funding from full cost recovery will provide a contingency to fund further provision outside of the existing Learning Centres. The LA does not receive any additional high needs funding if there is an increase in demand for alternative provision.
- 1.3. The majority of permanent exclusions issued over the last 5 years have been predominantly from 4 schools and academies which, as a result, has meant that the majority of the Learning Centres resources are focused on pupils excluded from these schools and academies. Therefore the principle of Full Cost Recovery promotes the equitable support of the Learning Centres to all schools and the financial implication of Full Cost Recovery impacts on a minority of high excluding schools (see Appendix 1).

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Current legislation and central government directive states that the LA is still currently responsible for arranging suitable full-time education for permanently excluded pupils from the 6th day of exclusion.
- 2.2 As a result of this new responsibility it was necessary to adopt a Cost Recovery model to ensure that funding was available for the LA to carry out its statutory duty. Consultation and discussions eventually lead to Full Cost Recovery being implemented in September 2010. Initially, Schools Forum approved the model and dedicated £0.300m from headroom funding to support schools and academies in meeting the Full Cost Recovery (£14,900) for the first year of the first 2 exclusions. Schools were only charged the AWPU rate and the £0.300m topped the value up to £14,900 for the first 2 exclusions. For any further exclusion the school paid the full £14,900.
- 2.3 Full Cost Recovery continued through the 2011/2012 and 2012/2013 academic years. However, due to changes in Learning Centre funding it was agreed at the Schools Forum in February 2014 that for the 2013/2014 financial year, Full Cost Recovery would not be charged. The report in February 2014 stated that a further report would be presented to Schools Forum for the 2014/2015 academic year. A report was presented at the School Forum Meeting in October 2014, but the decision was deferred until the December 2014 meeting. The report has subsequently been revised based comments from the October 2014 meeting and further discussion. This report would establish costs going forward for the 2014/2015 financial year.

- 2.4 The policy of Full Cost Recovery had not changed since being established and other LAs are implementing similar policies for the provision of excluded pupils. For example, Nottinghamshire County Council approved through their Schools Forum in 2013, that their schools will pay full cost of £15,000 for every year that the pupil remained out of mainstream education. There are other LAs that charge approximately £19,000 for pupils who have been permanently excluded.
- 2.5 Therefore, the LA are seeking approval to recommence the Full Cost Recovery model for all maintained secondary school and wish to continue the arrangement with secondary academies from 1 September 2014.
- 2.6 The Schools Forum sub-group met on 14 October 2014 to discuss future funding for Denewood and Unity Learning Centres. The papers from the sub-group are included for information. Notwithstanding concerns raised about where we are as a City, Option C was recommended for the Denewood top-up and Option A for Unity. The group requested that information on best practice be brought to a future meeting showing what the funding and operation of an outstanding Pupil Referral Unit (PRU) looks like.

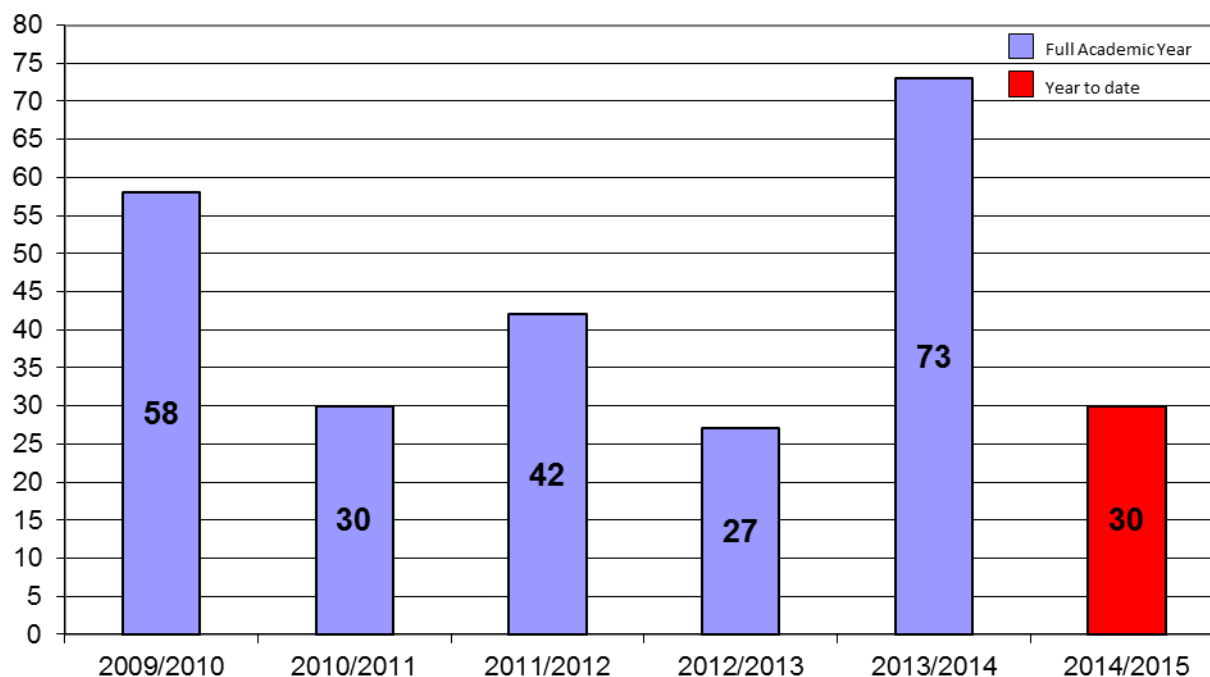
3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Other options have been previously explored and the current model agreed. Any other options would be considering top slicing funding to ensure the LA has sufficient funds.

4. OUTCOMES/DELIVERABLES

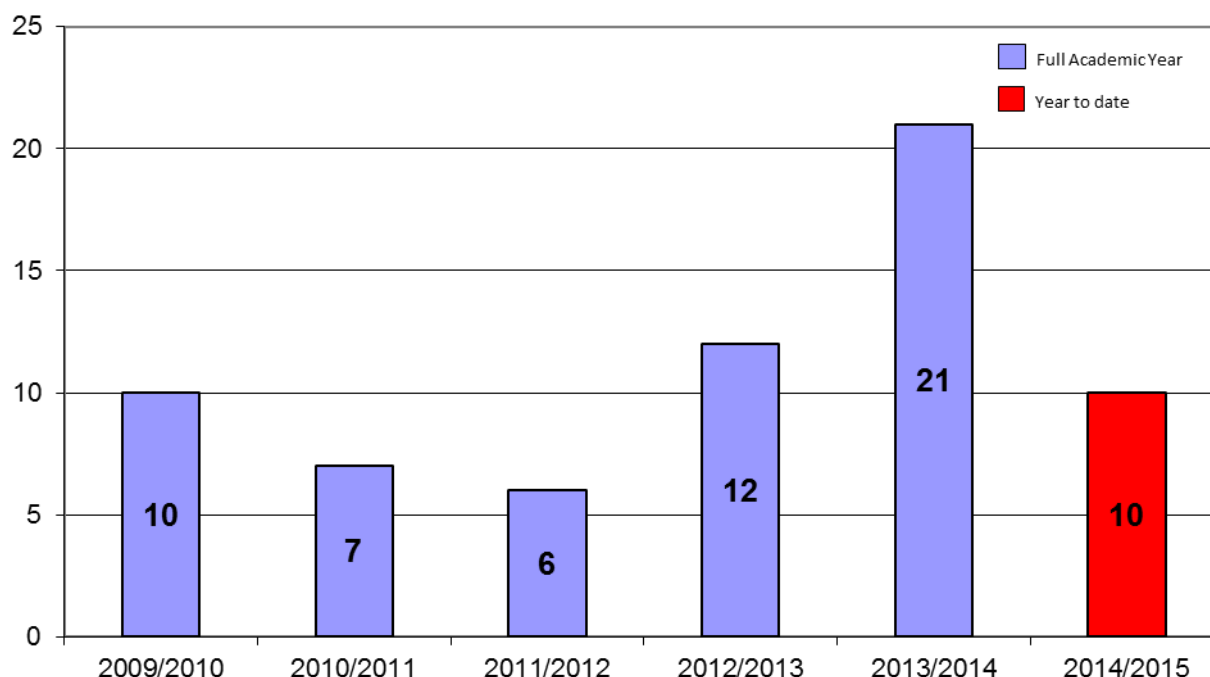
- 4.1 It would be expected that the schools, academies and all relevant partners work together to reduce exclusions across the City. Last year in secondary schools and academies was the highest excluding year in a decade for permanent exclusions and primary permanent exclusions are rapidly increasing (see charts below). So far this academic year permanent exclusions are increasing faster than last year and the Learning Centre provision is not sustainable for this number of excluded pupils. A breakdown of the total number of permanent exclusions and implications of full cost recovery from 2010/2011 to present is included in Appendix 1.

Secondary Permanent Exclusions (Effective) 2009/2010 to present



Data correct as of 8 December 2014

Primary Permanent Exclusions (Effective) 2009/2010 to present



Data correct as of 8 December 2014

5. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 5.1 For the 2014/15 financial year, the Learning Centres have received fixed budgets which are not dependent on the number of pupils accessing the provision. This funding has been fully budgeted from the high needs block. No funding has been set aside to fund provision for Key Stage 2/3 pupils once Denewood Learning Centre reaches capacity. Funding received from Full Cost Recovery will provide a contingency to fund further provision outside of the existing Learning Centres.

- 5.2 The future funding requirement of the Learning Centres will be directly linked to the numbers of permanently excluded pupils that are accessing the provisions. However, in contrast, high needs Dedicated Schools Grant funding received by the LA is not linked to PRU places or pupil numbers. It was recommended at the sub-group meeting that top-up funding will not be provided to Unity Learning Centre in 2015/16 until any carry forward as at 31 March 2015 has been run down. Taking this into account and based on the pupil projections in the sub-group papers, the combined funding requirement for these two units will be broadly in line with the 2014/15 budgets.
- 5.3 If the numbers of permanently excluded pupils exceed these projections and/or the capacity of the Denewood Learning Centre additional funding will be required over and above the 2014/15 level. Funding received from Full Cost Recovery will provide a contingency to fund further provision if required; reducing the requirement to fund such a contingency from savings elsewhere in the high needs budget.

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

Legal Implications

- 6.1 In essence, under regulation 8 of the Education (Pupil Registration) (England) Regulations 2006 permanent exclusion of a pupil is a ground on which the name of a pupil shall be deleted from the admission register of a school once the parent of the pupil has stated in writing s/he does not intend to apply for a review of the permanent exclusion, the time for applying for a review has expired with no review having been applied for or a review applied for within time has either been determined or abandoned.
- 6.2 Alongside this there is the duty of an LA to provide education in relation to excluded pupils. Under section 19 of the Education Act 1996, the LA with education responsibility for the area becomes responsible for the provision of suitable full-time education for a pupil of compulsory school age who is permanently excluded. Moreover under regulation 4 of the Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007, the LA is required to provide that education from the sixth school day following the day on which the permanent exclusion took place.
- 6.3 The Schools Forum's powers here derive from the School and Early Years Finance (England) Regulations 2013 ("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 1 January 2014.
- 6.4 Chapter 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 5 of Schedule 2 (Items That May Be Removed From Maintained Schools' Budget Shares) [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(4) (SEYFR, regulation 12(1)(d)). Part 5 of Schedule 2 of the SEYFR contains paragraph 27, 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.

- 6.5 Therefore, Nottingham City Schools Forum has the power to approve the recommendations in this report (as opposed to merely noting it) by virtue of the above legislation but only insofar as this relates to maintained schools' budget shares. There is no equivalent power or provision in relation to Academies.
- 6.6 The last point is significant and highlighted when you consider which members of the Schools Forum are entitled to vote on such a proposal. Regulation 8 of the Schools Forums (England) Regulations 2012 is clear: Only the schools members of the Schools Forum who are representatives of [maintained] primary schools may vote to decide whether or not to authorise the matters referred to in regulation 12(1)(d) of [SEYFR] where they relate to [maintained] primary schools (Schools Forums (England) Regulations 2012, regulation 8(9A)); Only the schools members of the Schools Forums who are representatives of [maintained] secondary schools may vote to decide whether or not to authorise the matters referred to in regulation 12(1)(d) of [SEYFR] where they relate to [maintained] secondary schools (Schools Forums (England) Regulations 2012, regulation 8(9B)).
- 6.7 Contained in regulation 12(2) and (3) of the SEYFR, which states:-
(2) Where—
(a) a schools forum does not authorise any of the matters referred to in paragraph (1); or
(b) a local authority are not required to establish a schools forum for their area, the authority may make an application to the Secretary of State for such authorisation.
(3) On the application of a local authority under paragraph (2), the Secretary of State may authorise the matters referred to in paragraph (1).

Therefore, where Nottingham City Schools Forum declined to determine a matter covered by regulation 12 of SEYFR, Nottingham City Council could refer the decision to the Secretary of State for authorisation.

The above powers should be exercised lawfully. The Finance Implications in this report suggest this would be the case with the proposals set out in this report.

7. HR ISSUES

7.1 None

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

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 Nottingham City Secondary Education Partnership (NCSEP) Inclusion Strategy (Board Report - September 2012 and March 2014)

10.2 Permanent Exclusion – Full Cost Recovery Arrangements (School Forum Report – 13 February 2014)

10.3 Department for Education Evaluation of the School Exclusion Trial - March 2013 and July 2014

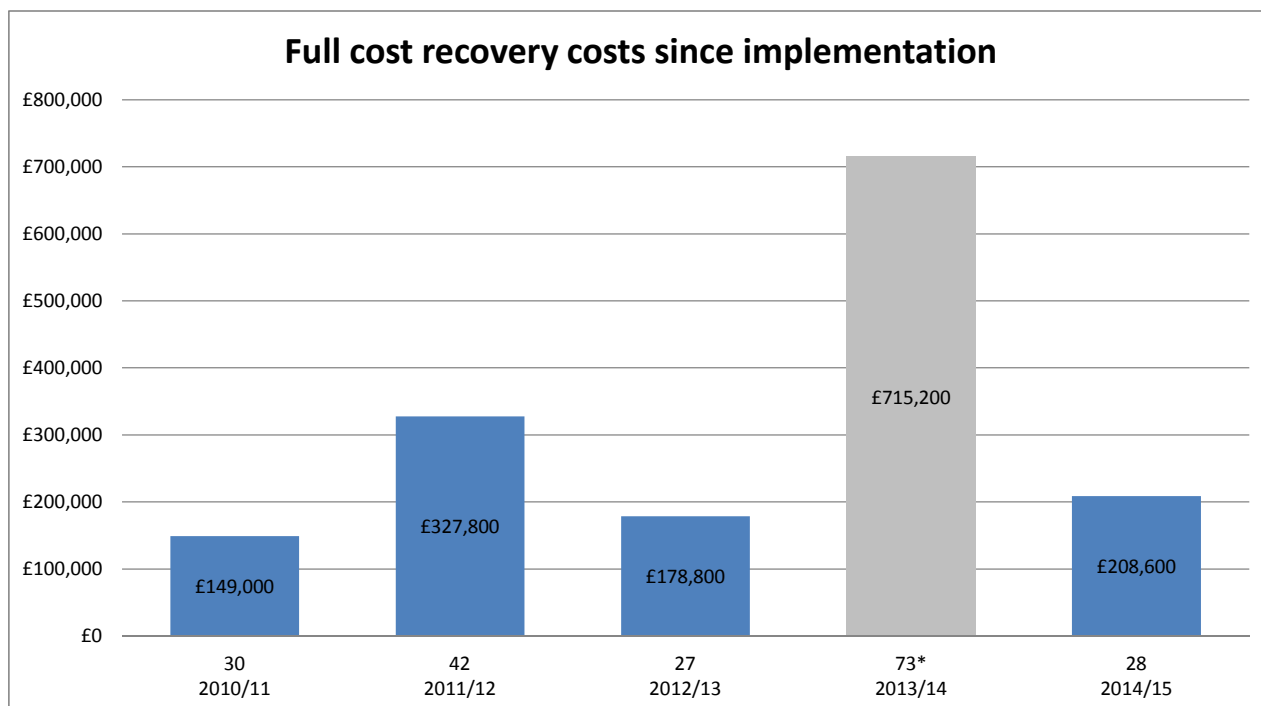
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APPENDIX 1

Permanent Exclusions and Full Cost Recovery by School - 2010/2011 to Present (28 November 2014)

		2009/10 (FCR - N/A)	2010/11	2011/12	2012/13	2013/14 (FCR - N/A)*	2014/15	Total	Average per year
School A	Permanent Exclusions	17	7	8	6	12	8	58	10
	Full Cost Recovery	-	£74,500	£89,400	£59,600	£149,000	£89,400	£461,900	£92,380
School B	Permanent Exclusions	5	1	7	1	14	6	34	6
	Full Cost Recovery	-	£0	£74,500	£0	£178,800	£59,600	£312,900	£62,580
School C	Permanent Exclusions	5	7	4	5	10	1	32	5
	Full Cost Recovery	-	£74,500	£29,800	£44,700	£119,200	£0	£268,200	£53,640
School D	Permanent Exclusions	6	2	4	3	7	1	23	4
	Full Cost Recovery	-	£0	£29,800	£14,900	£74,500	£0	£119,200	£23,840
School E	Permanent Exclusions	4	2	1	4	5	3	19	3
	Full Cost Recovery	-	£0	£0	£29,800	£44,700	£14,900	£89,400	£17,880
School F	Permanent Exclusions	6		4	3	4		17	4
	Full Cost Recovery	-	£0	£29,800	£14,900	£29,800	£0	£74,500	£14,900
School G	Permanent Exclusions	2	2	2	2	4	2	14	2
	Full Cost Recovery	-	£0	£0	£0	£29,800	£0	£29,800	£5,960
School H	Permanent Exclusions	5	1	3		1		10	3
	Full Cost Recovery	-	£0	£14,900	£0	£0	£0	£14,900	£2,980
School I	Permanent Exclusions	3	2	4	3	6	1	19	3
	Full Cost Recovery	-	£0	£29,800	£14,900	£59,600	£0	£104,300	£20,860
School J	Permanent Exclusions	1	2	4		1		8	2
	Full Cost Recovery	-	£0	£29,800	£0	£0	£0	£29,800	£5,960
School K	Permanent Exclusions	1	1			3	5	10	3
	Full Cost Recovery	-	£0	£0	£0	£0	£44,700	£44,700	£8,940
School L	Permanent Exclusions		1			4	1	6	2
	Full Cost Recovery	-	£0	£0	£0	£29,800	£0	£29,800	£5,960
School M	Permanent Exclusions	1	2	1		1		5	1
	Full Cost Recovery	-	£0	£0	£0	£0	£0	£0	£0
School N	Permanent Exclusions	2				1		3	2
	Full Cost Recovery	-	£0	£0	£0	£0	£0	£0	£0
Total	Permanent Exclusions	58	30	42	27	73	28	258	18
	Full Cost Recovery	-	£149,000	£327,800	£178,800	£715,200	£208,600	£1,579,400	£112,814

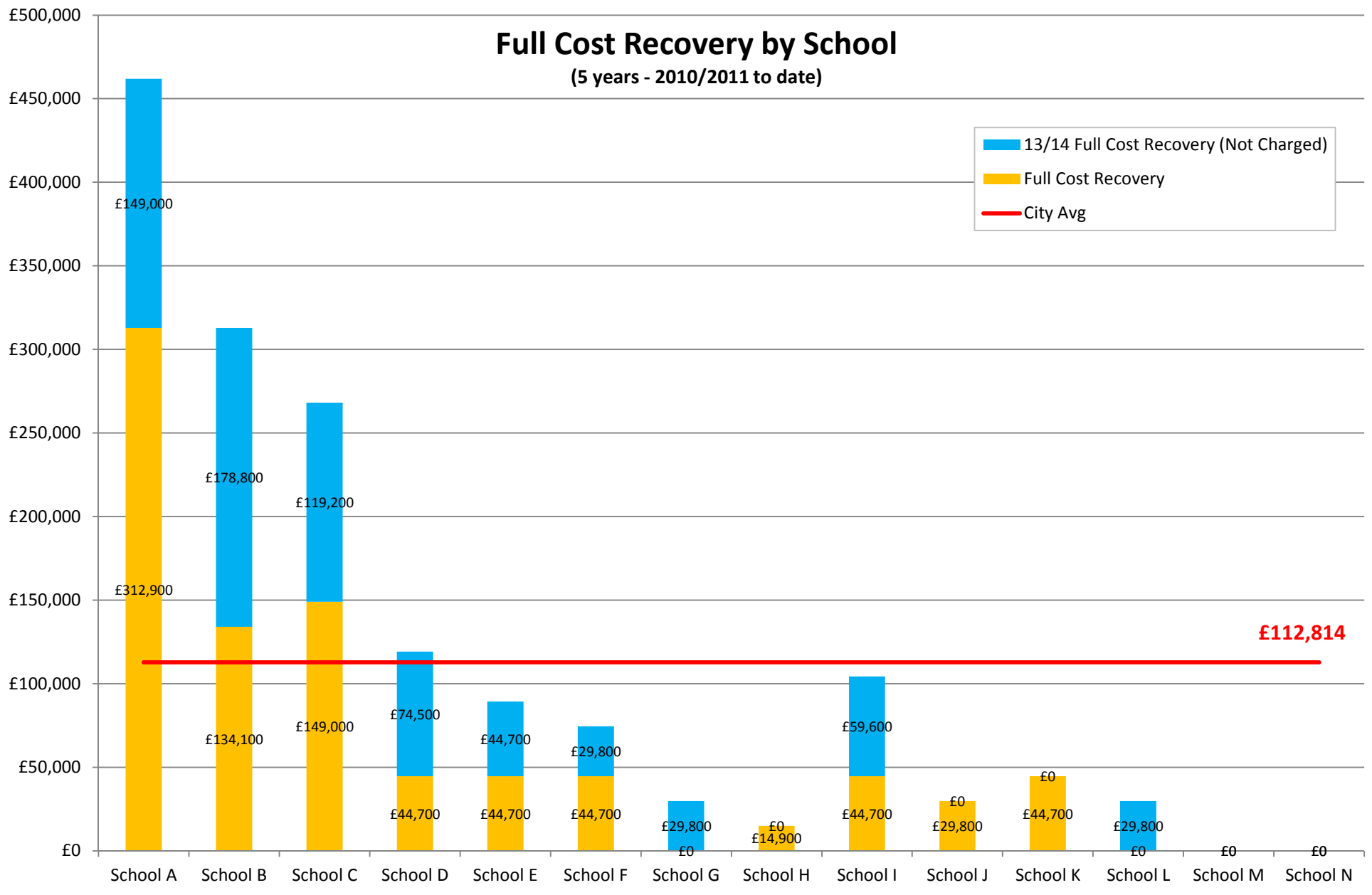
* Full Cost Recovery (FCR) was not implemented for the 2013/2014 financial year, but cost has been shown for illustration.



Full Cost Recovery by School

(5 years - 2010/2011 to date)

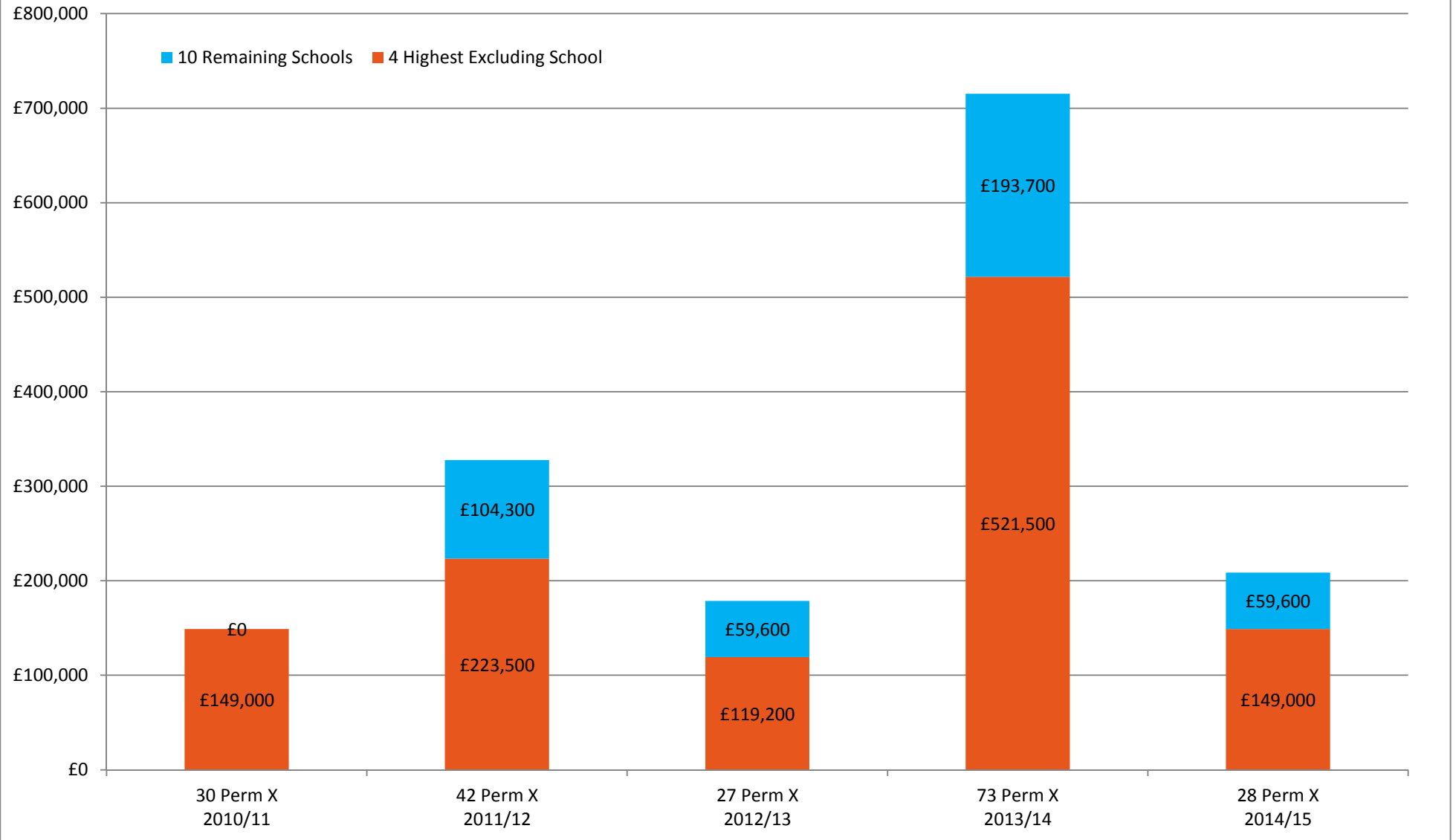
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Full Cost Recovery - Total Costs over 5 years

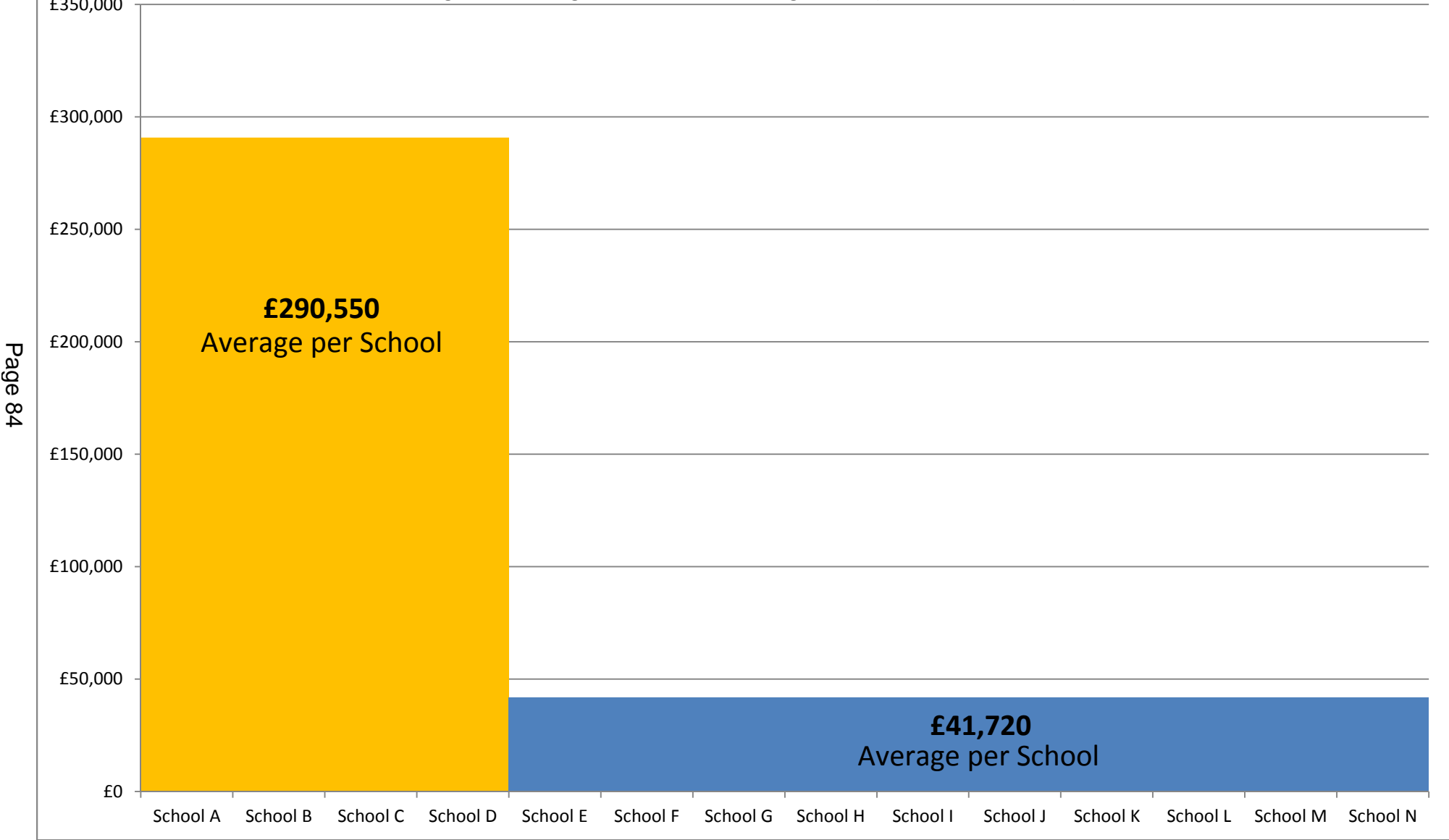
Comparison between 4 highest excluding schools and 10 remaining schools

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Full Cost Recovery - Average Cost per School

4 Highest excluding schools vs 10 Remaining schools (2010/2011 to Present)



Equality Impact Assessment Form

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

Proposal to re-start Full Cost Recovery for maintained secondary schools in the Nottingham City area who permanently exclude a pupil.

Information used to analyse the effects on equality

The method of Full Cost Recovery was developed in 2009 as part of a commissioned review of permanent exclusions and a sustainable method for providing their continued education. As a result of the report it was agreed at the Schools Forum that the first full years cost of provision would be charged to excluding schools for each pupil permanently excluded. This funding can then be used to provide education for these pupils by funding the learning centres as required depending on demand. It was later agreed through the schools partnerships with the Local Authority (LA) that the charge would be made after the second permanent exclusion from each individual school. This method supported by other strategies supported a large reduction in permanent exclusions over a number of years. However, how the learning centres were funded had recently changed due to government legislation and as a temporary measure, Full Cost Recovery was paused to determine future policy. During this period, we have witnessed the largest number of permanent exclusions in 10 years from secondary schools and academies. As a result the learning centres are almost full and their resources committed. Therefore, it is necessary to re-start Full Cost Recovery to ensure the LA can carry out their legal duty to provide education for pupils who have been permanently excluded, but can't access this education at the learning centres. The LA are seeking that all secondary academies support this method in order to effectively use the resources available within the learning centres.

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	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"/>	The LA wish to reduce the impact of permanent exclusions on pupils and where possible seek an alternative to permanent exclusion. However, if pupils are excluded this will ensure appropriate full-time education can be provided to ensure that there is not a significant gap in their education.	This policy should help promote a reduction in permanent exclusions along with other strategies and school initiatives. However, it will secure funding to provide full-time education for pupils who have been permanently excluded, if no place can be provided at the learning centres.
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 checked="" type="checkbox"/>	<input type="checkbox"/>		
Other (e.g. marriage/civil partnership, looked after children, cohesion/good	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

Equality Impact Assessment Form

relations, vulnerable children/adults)				
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Outcome(s) of equality impact assessment:

No major change needed 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:

This policy will be monitored through the exclusion reporting systems and shared with relevant parties. This policy will also be reviewed when considering other policies that may have a direct impact on this report.

Approved by (manager signature): Michael Wilsher

8th December 2014

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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