



NOTTINGHAM CITY COUNCIL
SCHOOLS FORUM

Date: Thursday, 7 December 2017

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

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

AGENDA

Pages

1	APOLOGIES FOR ABSENCE	
2	DECLARATIONS OF INTEREST	
3	MINUTES OF THE LAST MEETING Minutes of the meeting held on 9 November 2017, for confirmation.	3 - 10
4	PROPOSED PUPIL GROWTH ALLOCATION FOR 2018/19 AND PROPOSED REVISION OF THE PUPIL GROWTH CRITERIA. Report of the Corporate Director for Children and Adults	11 - 26
5	PUPIL GROWTH CONTINGENCY FUND UPDATE	27 - 28
6	DE-DELEGATION OF FUNDING FOR THE BEHAVIOUR SUPPORT TEAM (BST) IN 2018/19 Joint report of the Corporate Director for Children and Adults and the Director of Education	29 - 40
7	DE-DELEGATION OF 2018/19 HEALTH AND SAFETY BUILDING INSPECTION FUNDING Report of the Corporate Director for Children and Adults	41 - 60
8	DE-DELEGATION OF FUNDING FOR ETHNIC MINORITY ACHIEVEMENT (EMA) - IDEAL SERVICE Report of the Corporate Director for Children and Adults	61 - 80
9	EARLY YEAR CENTRAL EXPENDITURE 2018/19 Report of the Corporate Director for Children and Adults.	81 - 88

- | | | |
|-----------|---|-----------|
| 10 | ARRANGEMENTS FOR FUNDING SCHOOLS IN 2018/19 AND 2019/20 AND THE SCHOOLS CONSULTATION OUTCOME
Report of the Corporate Director for Children and Adults | 89 - 110 |
| 11 | WORK PROGRAMME | 111 - 112 |

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 9 November 2017 from 1.46 pm - 4.35 pm

Membership

Present

Sally Coulton
Terry Smith
Sian Hampton (Chair)
Andy Jenkins
Judith Kemplay (Vice Chair)
Stephen McLaren
Janet Molyneux
Tracy Rees
David Stewart
James Strawbridge
Sheena Wheatley
Debbie Simon

Absent

Maria Artingstoll
David Blackley
David Holdsworth
David Hooker
Tracey Ydlibi

Colleagues, partners and others in attendance:

Kimberley Butler	- Behaviour Support Team Leader
Alistair Conquer	- Head of Educational Curriculum and Enrichment
Jane Daffé	- Senior Achievement Consultant, Vulnerable Groups
Julia Holmes	- Senior Commercial Business Partner
Carol McCrone	- HR Consultant
Della Sewell	- Employee Relations Manager
Kathryn Stevenson	- Senior Commercial Business Partner
David Thompson	- Schools Health and Safety Manager
Ceri Walters	- Head of Commercial Finance
Alison Weaver	- Service Manager, Inclusive Education Service
Laura Wilson	- Senior Governance Officer

1 ELECTION OF CHAIR

RESOLVED to appoint Sian Hampton as Chair of Schools Forum for the 2017/18 academic year.

2 ELECTION OF VICE CHAIR

RESOLVED to appoint Judith Kemplay as Vice-Chair of Schools Forum for the 2017/18 academic year.

3 MEMBERSHIP

RESOLVED to note

- (1) **the appointment of the following members for a period of 3 academic years:**

**Caroline Caille – Primary Academies;
Sian Hampton – Secondary Academies;
Andy Jenkins – Maintained Primary Schools;
Judith Kemplay – Maintained Primary Schools;
Steve McLaren – The Nottingham Nursery;
Janet Molyneux – Maintained Primary Governors;
Debbie Simon – Early Years PVI;
Terry Smith – Maintained Primary Schools;
David Stewart – Maintained Special Schools;
James Strawbridge – Primary Academy Governors;**

- (2) **that vacancies remain for the following representation:**

**Alternative Provision Academies;
FE colleges.**

4 APOLOGIES FOR ABSENCE

Maria Artingstoll
David Holdsworth

5 DECLARATIONS OF INTEREST

None.

6 MINUTES OF THE LAST MEETING

The minutes of the meeting held on 22 June 2017 were agreed and signed by the Chair.

7 DE-DELEGATION OF FUNDING FOR TRADE UNION TIME OFF FOR SENIOR REPRESENTATIVES

Della Sewell, Employee Relations Manager, introduced the report outlining the proposed arrangements for trade union facility time for senior trade union representatives from schools to attend negotiation and consultation meetings, and represent their members in schools in 2018/19.

In response to questions and comments from members, Della provided the following additional information:

- (a) subscription fees cover regional representatives, but not local representatives;
- (b) local representatives provide support and advice, as well as dispute resolution;
- (c) the de-delegated budget is split between the 5 unions;

- (d) the amount being de-delegated is increasing to reflect the pay award for the last 2 years;
- (e) if academies don't pay in to the service then representatives won't be paid to attend;
- (f) the local authority don't contribute to the budget as it is part of the Department for Education's calculations for funding.

RESOLVED

- (1) for maintained mainstream primary schools to:**
 - (a) approve the de-delegation of funding for senior trade union representatives at a rate of £1.55 per pupil, and a lump sum of £1,622 per school;**
 - (b) note that the total de-delegated is £66,000, which is made up of £17,000 generated by pupil numbers, and £49,000 lump sum funding;**
- (2) for the maintained mainstream secondary school to:**
 - (a) approve the de-delegation of funding for senior trade union representatives at a rate of £1.55 per pupil, and a lump sum of £1,622 per school;**
 - (b) note the total de-delegated is £4,000, which is made of up £2,000 generated by pupil numbers, and £2,000 lump sum funding.**

8 DE-DELEGATION OF 2018/19 HEALTH AND SAFETY BUILDING INSPECTION FUNDING

David Thompson, Schools Health and Safety Manager, introduced the report updating the Forum on the statutory and legislative health and safety responsibilities of the local authority in relation to maintenance and testing of maintained school properties, and how the de-delegated funding is used to support this, and requesting de-delegation of funding for schools health and safety building equipment inspections for maintained schools in 2018/19.

The Forum discussed the recommendations to de-delegate the funding and use £100,000 of reserves, but agreed that further information is required before a decision can be made.

RESOLVED to defer the report to the December meeting of Forum to allow for the following information to be provided:

- **a school by school break down of what funding is spent and when;**
- **market testing to ensure that the service provides value for money;**
- **what the remaining £77,000 of reserves will be used for;**
- **the impact of using the total £177,000 reserves.**

9 DE-DELEGATION OF FUNDING FOR ETHNIC MINORITY ACHIEVEMENT (EMA) - IDEAL SERVICE

Jane Daffé, Senior Achievement Consultant, Vulnerable Groups, introduced the report outlining the proposals for the IDEAL service to secure a fully traded position

from 2019/20, and requesting that maintained schools approve de-delegation of funding in 2018/19 to enable this to happen.

The Forum discussed the recommendations to de-delegate the funding, but agreed that further information is required before a decision can be made.

RESOLVED to defer the report to the December meeting of Forum to allow for the following information to be provided:

- a school by school break down of contributions, as some schools require greater support than others;
- details of the revised core offer that will be provided by the service.

10 DE-DELEGATION OF FUNDING FOR THE BEHAVIOUR SUPPORT TEAM (BST)

Kimberley Butler, Behaviour Support Team Leader, introduced the report outlining the work of the Behaviour Support Team to enable the Forum to consider what information will need to be provided at the December meeting when approval for de-delegation of funding for the team for 2018/19 will be sought.

The Forum requested that the following additional information be supplied in the report for the December meeting:

- updated details of the core offer;
- the implications for Key Stage 1 if de-delegation isn't approved;
- more details on costs and projected income;
- funding details for Key Stage 3 and 4;
- a breakdown of how many days per school the funding will buy;
- a comparison of the offer to maintained schools with the packages that academies can buy;
- how much funding would go to each school if the de-delegation isn't approved.

11 CONSULTATION ON HIGH NEEDS PLACES

Kathryn Stevenson, Senior Commercial Business Partner, informed the Forum of the draft proposals for planned high needs places for 2018/19, and highlighted the following:

- (a) where number changes may be required have been identified based on current numbers, known leavers in July 2018, anticipated/average new admissions, and limits to physical capacity;
- (b) the proposed key changes are:

Setting	Place change	Comments
Northgate Special Academy	+5	Post 16 places to be funded from the existing post 16 further education budget
Woodlands Special School	+6	Additional class of 6 as there are only 4 leavers in July
Westbury Special	+8	Additional class of 8

School		
Rosehill Special School	+8	Additional class of 8 as there are only 3 leavers in July
Bluecoat Primary Special Resource Unit	+1	
Total	+28	

- (c) the financial impact of the extra places is estimated at £317,000 in 2018/19, with the full year effect in 2019/20 anticipated to be £532,000, which will be met from gains under the new national High Needs formula;
- (d) the indicative Higher Needs funding increase for 2018/19 is £1.049m;
- (e) failure to provide sufficient places risks pupils having to be placed in more costly out of city provision.

Kathryn also informed the Forum that under the new process there is a cross border import/export adjustment so the high needs budget will be compensated if a pupil from the county attends a city setting. In addition to planned places, the high needs submission to the Education Funding Agency includes the opportunity to put in funding requests for additional hospital education funding where this is linked to increases in NHS provision. We will be requesting funding for the new Hopewood Unit opening in Spring 2018.

12 NATIONAL FUNDING FORMULA UPDATE

Ceri Walters, Head of Commercial Finance, updated the Forum on the National Funding Formula and High Needs funding proposals for 2018/19, and highlighted the following:

- (a) the structure of the funding system from 2018/19 is:
 - the Dedicated Schools Grant will be allocated in 4 blocks (schools, high needs, early years, and central schools services), and each will be calculated on the basis of a different national formula;
 - 99.5% of the schools block will be ring-fenced and must be distributed through the local formula for schools. With the agreement of Schools Forum, local authorities can move 0.5% in to other blocks;
- (b) it remains the Department for Education's long-term intention that schools budgets should be set on the basis of a single, national formula (a hard formula). To ensure some transitional stability, local authorities will continue to set a local formula for schools in 2018/19 and 2019/20;
- (c) the city's schools are amongst the biggest beneficiaries of the decision to invest additional funding in schools and high needs over the next two years. It will guarantee that the schools block allocation is based on a 0.5% per pupil increase in 2018/19 and 1% by 2019/20 compared to baseline funding. Previously the majority of city schools were due to receive a 1.5% per pupil funding cut;
- (d) the final proposals the following illustrative allocations:

- a 0.06% (£1.167m) increase to the total schools block for 2018/19, compared to the consultation proposals of a 1.2% reduction (£2.384m);
 - this is a shift of 1.8% (approximately £3.5m) increase in funding for the schools block based on pupil numbers at a point in time;
- (e) the proposed funding floor means that the city's schools will continue to get significantly more than other similar schools nationally that were lower funded in the past;
- (f) based on the illustrative figures provided by the Department for Education in October 2017, in 2019/20 the city's schools will receive £9.8m protection as a result of the 1% funding floor;
- (g) on average, the city's schools will be getting an extra £267 per pupil through the funding floor. All but 2 schools are getting funding floor protection (1 primary and 1 secondary), but they are already gaining through the new formula;
- (h) the High Needs formula proposed in December 2016 has been amended:
- the funding floor has been increased from 0% to 0.5% in 2018/19 and 1% in 2019/20;
 - the funding floor and the gains are being calculated on a per head of population basis;
 - later updates for some formula elements will better reflect the movement of pupils and students (the basic entitlement factor and import/export adjustments);
- (i) the High Needs national funding formula is based on:
- basic entitlement factor - £4,000 per special school and special post 16 institution pupil/student;
 - import/export adjustments - £6,000 per high needs pupil/student;
 - historic spend factor – cash sum equivalent to 50% of 2017/18 spend baseline;
- (j) the impacts on the city include:
- due to be the highest gaining local authority in percentage terms (23%);
 - the High Needs allocation is £6.745m higher than the 2017/18 baseline;
 - gains will be capped at 3% per head of population for at least the next two years;
 - a projected increase of around £1.049m in 2018/19 and £1.869m in 2019/20 compared to the 2017/18 baseline;
 - funding increases from 2020/21 are subject to the next Spending Review;
- (k) the timelines are:
- schools:
 - November 2017 – open consultation on the funding formula for 2018/19 via Scene;
 - December 2017 – the result of the consultation and formula will be reported to Schools Forum;
 - December 2017 – funding will be issued, including the October 2017 census;

- January 2018 – the budget report will be considered by Schools Forum;
- January 2018 – the statutory returns will be submitted to the Education and Skills Funding Agency regarding schools budgets;
- High Needs:
 - December 2017 – the basic per pupil budget will be issued updated for the October 2017 census;
 - January 2018 – the budget will be presented to Schools Forum;
 - March 2018 – import/export adjustments will be issued;
- Early Years:
 - December 2017 – the budget will be presented to Schools Forum, and central expenditure approval will be required.

13 CENTRAL EXPENDITURE BUDGET 2018/19 - COMBINED SERVICES

Sian Hampton, Chair of the Forum, and Judith Kemplay, Vice-Chair of the Forum, introduced the report outlining the recommendations of the Schools Forum Sub Group on specific items of central expenditure for inclusion in the 2018/19 budget setting process.

RESOLVED to

- (1) approve the following central expenditure associated with Combined Services:**
 - (a) Family Support, as detailed in Appendix B of the report;**
 - (b) Integrated Placements, as detailed in Appendix C of the report;**
 - (c) Safeguarding Training, as detailed in Appendix D of the report;**
 - (d) Serving Vulnerable Children, as detailed in Appendix E of the report;**
- (2) approve the continued work undertaken by Service Managers to produce value for money statements each year outlining the educational impact of each service area;**
- (3) require each Service Manager to work their counterparts in each area to develop a cohesive and co-ordinated approach to improving Children's Services.**

14 SCHOOLS FORUM CENTRAL EXPENDITURE BUDGET 2018/19

Ceri Walters, Head of Commercial Finance, introduced the report outlining the Council's proposed central expenditure, excluding Combined Services, for the 2018/19 budget.

RESOLVED to

- (1) approve the central expenditure items totalling £3.976m, detailed in Table 2 of the report, noting the additional historical detail set out in Appendix A of the report;**
- (2) note that the cost of Copyright Licenses totalling £190,000 does not require approval;**

- (3) note that where values are based on pupil numbers, estimates have been based on the October 2016 census and, once the latest census has been issued and final allocations have been issued by the Department for Education, these figures will be updated and represented.**

15 WORK PROGRAMME

Sian Hampton, Chair of the Forum, introduced the work programme which provides details of the items to be considered at future meetings, and informed the Forum that it will need to be updated to reflect the items deferred from this meeting, and the reports detailed in the funding formula update.

16 DATES OF FUTURE MEETINGS

Laura Wilson, Senior Governance Officer, informed the Forum that the dates for 2018 are Tuesday's and not Wednesday's as stated on the agenda.

RESOLVED to meet at 1.45pm on the following dates for the 2017/18 academic year:

**Thursday 7 December 2017
Tuesday 16 January 2018
Tuesday 13 February 2018
Tuesday 24 April 2018
Tuesday 26 June 2018**

SCHOOLS FORUM – 7 DECEMBER 2017

Title of paper:	Proposed pupil growth allocation for 2018/19 and proposed revision of the pupil growth criteria
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children & Adults
Report author(s) and contact details:	Lucy Juby, Project Manager, School Organisation lucy.juby@nottinghamcity.gov.uk 0115 8765041
Other colleagues who have provided input:	Julia Holmes, Senior Commercial Business Partner, Children & Adults julia.holmes@nottinghamcity.gov.uk 0115 8763733

Summary

As part of the budget setting process for 2018/19, this report outlines the proposed requirements of the Pupil Growth Contingency Fund (PGCF) for 2018/19 and seeks Schools Forum's approval to allocate £1.148m of the Dedicated Schools Grant to fund this proposal. The funding will be used to fund pupil growth in both maintained schools and academies.

As part of the budget setting process for 2018/19, the School Funding team must inform the Education and Skills Funding Agency (ESFA) by 19 January 2018 on the level of funding allocated for pupil growth for academies for the period April 2018 to August 2018, from the pupil growth contingency fund.

The Department for Education (DfE) Schools Forums: Operational and good practice guidance document from September 2017 identifies central spend on and the criteria for pupil growth as one of the functions Forum are responsible for deciding on (Page 5).

Recommendation(s):

- | | |
|----------|--|
| 1 | To approve the allocation of £1.148m to support pupil growth in 2018/19. Appendix 1 outlines the current commitments for primary growth in 2018/19 based on the current PGCF criteria. |
| 2 | To approve that the Sub-group will undertake a review of the PGCF criteria for the funding of both primary and secondary school pupil growth. The Sub-group will be required to review the potential models for the funding of pupil growth and to propose a recommended option to Schools Forum by April 2018. |
| 3 | To note:
(a) the requirement to allocate funding to academies for the period April 2018 to August 2018 as guided by the ESFA;
(b) the amount to be allocated is £0.156m;
(c) the funding will be included on the submission of the 2018/19 Authority Pro-forma Tool sent in to the ESFA which includes all school budget shares for 2018/19 and the amounts to be given out to academies for pupil growth April to August 2018;
(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 2018/19 will be adjusted accordingly. |

1 REASONS FOR RECOMMENDATIONS

- 1.1 The pupil growth contingency fund provides funding predominantly to schools and academies 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. The Council has invested £41.9m in its school expansion programme since 2009, which will create a total of over 4000 additional school places over the period of expansion, once all year groups are full.
- 1.2 Staffing, utilities and classroom 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 (included as Appendix 2).
- 1.3 For maintained schools, there is usually a funding lag period of 7 months, between September and March, if schools have to provide additional staff for an extra class of pupils, but the increased number on roll are not reflected in their budget until the following April. The PGCF is used to support schools to address this funding lag.
- 1.4 Academies' financial year runs from September to September, therefore, academies receive a full 12 months of PGCF. This is paid in two separate payments: 7/12ths of the annual amount is paid in September (to cover the period Sept – March). The other 5/12ths is paid in April (to cover the period April to August). This additional 5/12ths element for academies is then reimbursed by the ESFA.
- 1.5 When a school expands (if the need for additional capacity is agreed with Council), they may receive funding for every year that they admit additional pupils, until the school is full, so normally 7 years for a primary expansion. If a school expands by a one-off bulge year, they will receive funding for that year only.
- 1.6 The increased demand for school places is moving from the primary phase into the secondary phase. Pupil forecasting evidences that there is a need for the city to provide between 15 –17 additional forms of entry as a minimum, commencing in 2017 and to meet peak demand by 2022. Therefore, there is now a requirement to include provision for the funding of secondary school pupil growth.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 For 2018/19, the level of funding for pupil growth requested from Schools Forum is £1.148m. In 2014/15 it was £1.523m, in 2015/16 it was £1.047m, in 2016/17 it was £1.318m (including the additional £0.300m which was agreed by Schools Forum on 3 November 2016) and in 2017/18 it was £1.052m. The **Table 1** below demonstrates how the fund for 2018/19 is estimated to be spent. A full breakdown of known expenditure is shown in Appendix 1.

Table 1: Forecast expenditure 2018/19	
Planned expansions / bulge years (staffing and utilities)	£0.454m
Classroom set up	£0.088m
Additional funding for academies to fund full financial years	£0.156m
Contingency	£0.450m
TOTAL	£1.148m

The **Table 2** below shows funding approved in recent years.

2017/18	£1.052m
2016/17	£1.318m
2015/16	£1.047m
2014/15	£1.523m

- 2.2 Where growth funding has been provided to an academy from September 2017, there is a requirement by the ESFA for local authorities to continue this payment until August 2018. In 2018/19 the pupil growth contingency will allocate £0.156m to academies for April 2018 to August 2018. 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 2018/19. They will take the academies' school budget shares and then deduct the amounts given out for pupil growth for April to August 2018. This revised total is then the amount that is recouped.
- 2.4 For 2018/19, the known requirements that are already committed for the pupil growth fund total £0.698m. This relates to schools which have already expanded or which are currently expanding. When a school expands and admits additional pupils, they are not reflected in the school's budget until the following April for maintained schools, or the following September for academies. The pupil growth contingency fund is used to fund this lag, every year that the school admit an additional class until they are full (which is usually 7 years for a permanent expansion of a primary school and 5 years for expansion of a secondary school).
- 2.5 A further £0.450m has been set aside to allow for contingency as other expansions come on line. In 2017/18 the contingency was set at £0.400m. As we continue our ambition to provide Ofsted good-rated school places close to home for every child in Nottingham, the final planned primary school expansions are now underway. However, although the city-wide position for primary provision at first entry is good, we need to consider that there will be a growing need for additional secondary capacity. See further background in section 3 below.
- 2.6 The pupil growth contingency fund supports those primary schools which have expanded / increased their capacity and PAN, in agreement with Council. In line with the criteria agreed with Schools Forum in 2013, they currently receive funding for every year that they admit additional pupils, until the school is full, so normally 7 years for a primary expansion. If a school expands by a one-off bulge year, they will receive funding for that year only.
- 2.7 As this criteria was agreed back in 2013, it is recommended that the Schools Forum Finance Sub-group should now undertake a review of the PGCF criteria for the funding of both primary and secondary school pupil growth. The Sub-group will be required to review the potential models for the funding of pupil growth and to propose a recommended option to Schools Forum by April 2018. Any changes to the criteria

for primary schools will need to apply for agreed expansions / bulge years implemented after this date.

- 2.8 The full breakdown and any changes or updates to spend will continue to be reported to Schools Forum as a regular agenda item.
- 2.9 Any unspent monies at the end of the 2017/18 financial year, will be carried forward and allocated to the Pupil Growth Contingency in 2018/19.

3 Review of the funding requirements for planned pupil growth in secondary schools

- 3.1 The increased demand for school places is moving from the primary phase into the secondary phase. City secondary schools have historically run with a significant surplus capacity. However, the growth in both birth rate and new arrivals to the city has resulted in a projected overall deficit of secondary school place provision. Pupil forecasting evidences that there is a need for the city to provide between 15 –17 additional forms of entry as a minimum, which has commenced in 2017 and demand is projected to peak by 2022.
- 3.2 Therefore, it is necessary to consider whether there is a requirement to fund secondary school pupil growth; specifically relating to a planned capacity and PAN increase, which must be agreed with the Council's School Organisation team, as one of the solutions for meeting the Council's secondary place planning strategy. Any pupil number fluctuations that are within a school's PAN would not be funded.
- 3.3 Until September 2017, any fluctuations have been within a school's PAN. Whereas the PGCF was established to support the significant pupil growth when a primary school increases its capacity and PAN in agreement with the Council, either by a temporary bulge class or a permanent expansion. The fund is used to support staffing, utilities and classroom set up costs (fixtures, fittings, smart board kit) associated with the funding lag resulting in a school admitting additional children, usually in September of each year.
- 3.4 All city primary and secondary school head teachers have been invited to give their views and rationale on what principles they think this specific growth funding for secondary schools should be based. i.e. the essential additional costs incurred during the one year interim period, between the September when the pupils are admitted, to the following September (for academies) when they are reflected in a school's budget. We invited feedback on whether the existing criteria for primary growth (Appendix 2) is relevant for secondary growth.
- 3.5 However, as there was minimal feedback in response to this request, it is now recommended that the Schools Forum Sub-group undertake a review of the need, and if appropriate, the criteria, for the funding of secondary school pupil growth. The Sub-group will be required to review the potential models for the funding of pupil growth and to propose a recommended option to Schools Forum by April 2018.

4 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

4.1 None.

5 OUTCOMES/DELIVERABLES

5.1 Continued provision of required school places.

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

- 6.1 The DfE have confirmed that in the financial year 2018/19, local authorities will be funded for pupil growth based on 2017/18 historic spend. In the financial year 2018/19 Nottingham City have been allocated £0.871m for pupil growth. This is more than the funding requirement of £0.818m that has been requested in this report, refer to **Table 3**. Therefore, the surplus funding of £0.053m will be used to support the funding allocated to primary and secondary schools through the formula in 2018/19.
- 6.2 In the Schools National Funding Formula – Consultation Stage 2, the Government proposed that from the financial year 2019/20 to fund pupil growth based on lagged pupil growth. The lagged growth method would count all pupil number increases in every school nationally, at a year-group level, based on the 2 previous years and use this to calculate the total amount of pupil growth in each local authority area. The Consultation Stage 2 stated that this could involve counting pupil growth only above a set threshold, to ensure we are counting only growth that is likely to result in an extra class, rather than lower levels of growth that are more likely to be accommodated in existing classes. The total amount of funding available nationally for growth would be allocated to local authorities on a per-pupil basis, based on the distribution of the lagged pupil growth across the country.
- 6.3 However, the DfE have responded that although there was some support for the use of lagged pupil numbers, many responder's thought there should be an extensive review considering other options. For example, funding growth in real time or using a combination of projections and in-year adjustments. Some responders also suggested using alternative data sources such as birth rates or housing data. The Government have announced that they will continue to explore the options of using projections and in-years adjustments or funding growth directly in real time according to a national unit rate prior to finalising the approach for 2019/20 and beyond.
- 6.4 As the LA does not know how much funding it will be receiving for pupil growth from the financial year 2019/20, the amount that will be allocated to an expanding school cannot be quantified at present. Moving forward, the LA will need to manage the growth funding they receive from year-to-year and review the pupil growth contingency criteria when clear guidance is released from the DfE.
- 6.5 Therefore, in this report Schools Forum representatives are being asked to approve:
1. The 2018/19 allocation for pupil growth.
 2. That the Schools Forum Sub-group will undertake a review of the PGCF criteria for both the primary and secondary phases which will cover the period April 2018 to March 2019. As part of the Finance Sub-group review

consideration also needs to be given to the fact that from 2019/20 the DfE have not confirmed how pupil growth will be funded. Therefore, as stated in 6.4 the PGCF criteria may need to be revised once the guidance is released.

- 6.6 As per paragraph 2.1 this report seeks approval to allocate £1.148m for pupil growth for both maintained schools and academies in the city in 2018/19. The estimated funding requirement for 2018/19 has been calculated based on the Pupil Growth Contingency Fund Criteria set by Schools Forum on 18 July 2013, this totalled £0.698m plus an additional contingency of £0.450m for any further expansions that may be required in 2018/19. If approved the funding will be included in the 2018/19 budget and will be funded as outlined in **Table 3**.

Table 3: Analysis of pupil growth funding 2018/19		
Income		
2018/19 DSG allocation	-£0.818m	
Brought forward underspend from 2017/18 (forecast)	-£0.174m	
Reimbursement from the ESFA for Academies (Apr-Aug 18)	-£0.156m	
Total income		-£1.148m
Expenditure		
Planned expansions / bulge years (staffing and utilities)	£0.454m	
Classroom set up	£0.088m	
Additional funding for academies to fund full financial years	£0.156m	
Contingency	£0.450m	
Total expenditure		£1.148m
Surplus/(Deficit)		0

- 6.7 **Table 3** includes a forecast brought forward balance from the financial year 2017/18, which is in line with last year's pupil growth allocation for 2017/18 report, as it was agreed that any unspent monies would be carried forward to 2018/19.

The School Organisation Team will be allocating £0.156m to academies in 2018/19 to fund the extra pupils they took in from September 2017. 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.

- 6.9 Any unspent monies at the end of the financial year will be carried forward and allocated to the Pupil Growth Contingency in 2019/20.
- 6.10 The 2018/19 pupil growth for academies relating to April 2018 to August 2018 will be included in the submission of the 2018/19 school budgets to the ESFA.

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

7.1 Legal Implications

7.1.1 The budgetary framework for the financing of maintained schools is contained in Chapter IV of Part II of the School Standards and Framework Act 1998 (“SSFA”). This chapter of the SSFA includes sections 45A (determination of specified budgets of a local authority) and 47A (the duty on a local authority to establish a schools forum for its area).

7.1.2 Section 45A(2) of the SSFA states that for the purposes of Part II of the SSFA, a local authority’s “schools budget” for a funding period is the amount appropriated by the authority for meeting all education expenditure by the authority in that period of a class or description prescribed for the purposes of this subsection (which may include expenditure incurred otherwise than in respect of schools). Section 45A(2A) of the SSFA states the amount referred to in subsection (2) includes the amount of any grant which is appropriated, for meeting the expenditure mentioned in that subsection, in accordance with a condition which –

(a) is imposed under section 16 of the Education Act 2002 (terms on which assistance under section 14 of that Act is given) or any other enactment, and

(b) requires that the grant be applied as part of the authority's schools budget for the funding period.

7.1.3 This means that the designated schools grant (“DSG”), which is paid to local authorities under section 14 of the Education Act 2002 (“EA2002”) essentially on condition imposed by the Secretary of State under section 16 of the EA2002 that it is applied as part of an authority’s schools budget for the funding period, is part of the schools budget. Indeed, the DSG is the main source of income for the schools budget (Education Funding Agency (“EFA”) guidance *Dedicated schools grant Conditions of grant 2017 to 2018* (December 2016), paragraph 2). Local authorities can add to the schools budget from local sources of income (*ibid*, paragraph 4).

7.1.4 The detail is prescribed by regulations. The current regulations are the School and Early Years Finance (England) Regulations 2017, SI 2017/44 (“SEYFR”).

7.1.5 Amongst other things, regulation 1 of SEYFR states the following:-

(4) In these Regulations—

...

“1996 Act” means the Education Act 1996;

...

“2003 Act” means the Local Government Act 2003;

...

“2015 Regulations” means the School and Early Years Finance (England) Regulations 2015;

...

“capital expenditure” means expenditure of a local authority which falls to be capitalised in accordance with proper accounting practices, or expenditure treated as capital expenditure by virtue of any regulations or directions made under section 16 of the 2003 Act;

...

“CERA” means capital expenditure which a local authority expects to charge to a revenue account of the authority within the meaning of section 22 of the 2003 Act;

7.1.6 Amongst other things, regulation 8 of SEYFR states the following:-

(5) Except as provided for in paragraphs (12) and (13) [not relevant here], a local authority must not deduct the expenditure referred to in Schedule 2 (other than expenditure referred to in paragraph 8 (expenditure on licences) and Part 5 (Children and Young People With High Needs) of Schedule 2) without authorisation from its schools forum under regulation 12(1), or from the Secretary of State under regulation 12(3).

7.1.7 Amongst other things, regulation 12 of SEYFR states the following:-

(1) On the application of a local authority, its schools forum may authorise—

...

(b) the making of deductions from the authority's schools budget of expenditure under regulation 8(5);

7.1.8 Schedule 2 to SEYFR sets out the following expenditure relevant to this report:-

1

CERA incurred for purposes not falling within any other paragraph of this Schedule or Schedule 1.

...

3

Any deductions under any of paragraphs 1 and 2(a), 2(b), 2(c), 2(d) and 2(e) must not exceed the amount deducted under each of the corresponding paragraphs of Part 1 of Schedule 2 to the 2015 Regulations for the previous funding period.

4

Expenditure due to a significant growth in pupil numbers as a result of the local authority's duty under section 13(1) of the 1996 Act to secure that efficient primary education and secondary education are available to meet the needs of the population of its area, including expenditure resulting from the additional costs associated with establishing a new school.

7.1.9 Therefore, the expenditure proposed here is potentially expenditure to be made from the schools budget for Nottingham City Council (“NCC”) and NCC’s DSG at that. This is provided if the money is to be spent in the way proposed in this report that it is either spent as CERA as defined by SEYFR and in accordance with SEYFR, or it is spent due to a significant growth in pupil numbers as a result of NCC’s duty under section 13(1) of the 1996 Act to secure that efficient primary education and secondary education are available to meet the needs of the population of its area. That last point is particularly important where it is envisaged that any such expenditure would be made to assist the expansion of an Academy since any expenditure of NCC’s schools budget on an Academy without a clear legal duty or power enabling NCC to do so would be unlawful. The reasons for recommendations and the background sections to this report set out that a significant growth in pupil numbers means that section 13(1) of the 1996 Act is potentially engaged here and the proposed expenditure would be lawful on that basis alone.

7.1.10 Lastly as expenditure caught by Schedule 2 to SEYFR, regulation 8(5) of SEYFR requires NCC to seek the approval of Nottingham City Schools Forum under regulation 12(1)(b) of SEYFR for the expenditure referred to in this report, hence this report.

8 HR ISSUES

8.1 Not applicable.

9 EQUALITY IMPACT ASSESSMENT

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

No

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

Yes

Attached as Appendix 3, and due regard will be given to any implications identified in it.

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

10.1 None

11 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

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

This page is intentionally left blank

Appendix 1 – breakdown of schools due to receive funding from 2018/19 pupil growth contingency fund

School	Amount £	Funding criteria	Funding start date	Funding end date (up to and including)
Planned expansions / or bulge years				
Dunkirk Primary	36,841	Staffing / utilities	Sept 2012	Sept 2018
Fernwood Primary	36,841	Staffing / utilities	Sept 2015	Sept 2021
Forest Fields Primary	36,841	Staffing / utilities	Sept 2013	Sept 2019
Glade Hill Primary	36,841	Staffing / utilities	Sept 2016	Sept 2022
Glade Hill Primary	30,555	Teacher (full year)	Sept 2016	Sept 2018
Huntingdon Primary	36,841	Staffing / utilities	Sept 2015	Sept 2020
Mellers Primary	36,841	Staffing / utilities	Sept 2016	Sept 2022
Middleton Primary	36,841	Staffing / utilities	Sept 2015	Sept 2021
Victoria Primary Academy	36,841	Staffing / utilities	Sept 2012	Sept 2018
Rufford Primary	36,841	Staffing / utilities	Sept 2013	Sept 2019
South Wilford	36,841	Staffing / utilities	Sept 2015	Sept 2021
Sycamore Primary Academy	36,841	Staffing / utilities	Sept 2013	Sept 2018
In year admissions				
Seely Primary	17,824	Teacher	April 2017	April 2018
Sub total	453,630			
Classroom set up				
Fernwood Primary	8,000	Classroom set up x1	Sept 2015	Sept 2021
Glade Hill Primary	8,000	Classroom set up x1	Sept 2016	Sept 2022
Glenbrook Academy	8,000	Classroom set up x1	Sept 2014	Sept 2019
Heathfield Primary	16,000	Classroom set up x2	Sept 2015	Sept 2020
Huntingdon Primary	8,000	Classroom set up x1	Sept 2015	Sept 2020
Mellers Primary	8,000	Classroom set up x1	Sept 2016	Sept 2019

Middleton Primary	8,000	Classroom set up x1	Sept 2015	Sept 2021
Victoria Primary Academy	8,000	Classroom set up x1	Sept 2014	Sept 2018
Rufford	8,000	Classroom set up x1	Sept 2013	Sept 2019
South Wilford	8,000	Classroom set up x1	Sept 2015	Sept 2021
Sub total	88,000			
Additional funding for academies to fund full financial years (April '18 – August '18)				
Glenbrook	26,315	Staffing / utilities	Apr-2014	Apr-2018
Huntingdon	26,315	Staffing / utilities	Apr-2016	Apr-2021
Victoria	26,315	Staffing / utilities	Apr-2015	Apr-2019
Rosslyn	24,440	Staffing	Apr-2015	Apr-2018
South Wilford	26,315	Staffing / utilities	Apr-2016	Apr-2022
Sycamore	26,315	Staffing / utilities	Apr-2014	Apr-2019
Sub total	156,015			
Total committed spend	697,645			
Contingency	450,000			
Total	1,147,645			

Pupil Growth Contingency Fund (PGCF)

The agreed funding criteria for planned pupil growth, per additional class of 30 primary children is as follows:

TABLE 3 : FUNDING CRITERIA VALUES			
Funding Streams	7/12ths (Sept-March)	5/12ths (April-Aug)	Annual Value
Staffing			
Teacher	£17,824	£12,731	£30,555
Teaching Assistant	£14,242	£10,173	£24,415
Midday Supervisor	£2,150	£1,536	£3,686
Total staffing cost package	£34,216	£24,440	£58,656
Utilities			
Utilities Costs (£150 per pupil per annum)	£2,625 (based on 30 pupils)	£1,875 (based on 30 pupils)	£150 x 30 = £4,500
TOTAL COST (staffing and utilities – based on additional 30 pupils)	£36,841	£26,315	
New classroom set up			
Classroom set up costs - Fixtures & Fittings			Up to £6,000
Smart board kit			Up to £2,000
Total classroom set up costs			Up to £8,000

This page is intentionally left blank

Equality Impact Assessment Form (Page 1 of 2)

Title of EIA/ DDM: Proposed budget for pupil growth 2018/19
Department: Children & Adults
Service Area: Access & Inclusion – School Organisation
Author (assigned to Covalent): Nick Lee

Name of Author: Lucy Juby
Corporate Director: Alison Michalska
Strategic Budget EIA: N (please underline)

Brief description of proposal / policy / service being assessed:

As part of the budget setting process for 2018/19, the proposal outlines the proposed requirements of the pupil growth contingency for 2018/19 and seeks Schools Forum's approval to allocate £1.148m of the Dedicated Schools Grant to fund the proposal. The funding will be used to fund pupil growth in both maintained schools and academies, to ensure the continued provision of required school places.

Information used to analyse the effects on equality:

Analysis of January and May 2017 school census for all schools in Nottingham, to understand the impact of this funding on the school pupil population. This paper requests funding to support pupil growth across Nottingham, so the latest school census data, January and May 2017, was used to assess the equalities impact. 30% of pupils in Nottingham schools speak English as an Additional Language, 25.1% qualify for free school meals, 14.4% have special educational needs and 41.6% are BME.

Page 25	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 isn't possible)
People from different ethnic groups.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposal will benefit a diverse population of young people, as it supports the funding of pupil growth across the City.</p> <p>There will be no negative impacts of this proposal.</p>	None required.
Men	<input type="checkbox"/>	<input type="checkbox"/>		
Women	<input type="checkbox"/>	<input type="checkbox"/>		
Trans	<input type="checkbox"/>	<input type="checkbox"/>		
Disabled people or carers.	<input type="checkbox"/>	<input type="checkbox"/>		
Pregnancy/ Maternity	<input type="checkbox"/>	<input type="checkbox"/>		
People of different faiths/ beliefs and those with none.	<input type="checkbox"/>	<input type="checkbox"/>		
Lesbian, gay or bisexual people.	<input type="checkbox"/>	<input type="checkbox"/>		
Older	<input type="checkbox"/>	<input type="checkbox"/>		
Younger	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Other (e.g. marriage/ civil partnership, looked after children,	<input type="checkbox"/>	<input type="checkbox"/>		

cohesion/ good relations,
vulnerable children/ adults).

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

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:

Not required.

Approved by (manager signature):

Jonny Kirk, Service Manager, Access to Learning

Date sent to equality team for publishing:

15/11/17

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

Page 26

1. Read the guidance and good practice EIA's
<http://www.nottinghamcity.gov.uk/article/25573/Equality-Impact-Assessment>
2. Clearly summarised your proposal/ policy/ service to be assessed.
3. Hyperlinked to the appropriate documents.
4. Written in clear user friendly language, free from all jargon (spelling out acronyms).
5. Included appropriate data.
6. Consulted the relevant groups or citizens or stated clearly when this is going to happen.
7. Clearly cross referenced your impacts with SMART actions.

Pupil growth contingency fund - December 2017 Schools Forum update

School	Expansion/bulge/ In year	Funding criteria	Amount £	Next pay month	Funding start date	Funding end date
Dunkirk Primary	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2012	Sep-2018
Fernwood Primary	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2015	Sep-2021
Forest Fields Primary	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2013	Sep-2019
Glade Hill Primary	Bulge / Expansion TBC	Staffing / utilities	36,841	Sep-2017	Sep-2016	Sep-2022
Glade Hill Primary	Bulge year	Teacher (full year)	30,555	Sep-2017	Sep-2016	Sep-2018
Glenbrook Academy	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2013	Sep-2017
Huntingdon	Bulge / PAN increase	Staffing / utilities	36,841	Sep-2017	Sep-2015	Sep-2020
Mellers Primary	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2016	Sep-2022
Middleton Primary	Bulge year	Teacher (full year)	30,555	Sep-2017	Sep-2015	Sep-2017
Middleton Primary	Bulge year	Teacher (full year)	30,555	Sep-2017	Sep-2017	Sep-2017
Victoria Primary Academy	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2012	Sep-2018
Rossllyn Primary Academy	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2013	Sep-2017
Rufford Primary	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2013	Sep-2019
South Wilford	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2015	Sep-2021
Sycamore Primary	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2013	Sep-2018
Seely	Late admission	Teacher	17,824	Apr-2017	Apr-2017	Apr-2018
Classroom set up						
Fernwood Primary	Expansion	Classroom set up x1	8,000	Sep-2017	Sep-2015	Sep-2021
Glade Hill	Bulge / Expansion TBC	Classroom set up x1	8,000	Sep-2017	Sep-2016	Sep-2022
Glenbrook Academy	Expansion	Classroom set up x1	8,000	Sep-2017	Sep-2014	Sep-2019
Heathfield Primary	Expansion	Classroom set up x2	16,000	Sep-2017	Sep-2015	Sep-2020
Mellers Primary	Expansion	Classroom set up x4	32,000	Apr-2017	Sep-2016	Sep-2019
Victoria Primary Academy	Expansion	Classroom set up x1	8,000	Sep-2017	Sep-2014	Sep-2018
Rossllyn Park	Expansion	Classroom set up x1	8,000	Sep-2017	Sep-2013	Sep-2017
Rufford	Expansion	Classroom set up x1	8,000	Sep-2017	Sep-2013	Sep-2019
South Wilford	Expansion	Classroom set up x1	8,000	Sep-2017	Sep-2015	Sep-2021

**Additional funding for academies to fund full financial years
(April '17 – August '17)**

Blue Bell Hill	Expansion	Staffing / utilities	26,315	Apr-2017	Apr-2014	Apr-2017
Djanogly Northgate	Expansion	Staffing / utilities	26,315	Apr-2017	Apr-2014	Apr-2017
Glenbrook	Expansion	Staffing / utilities	26,315	Apr-2017	Apr-2014	Apr-2018
Huntingdon	Bulge / PAN increase	Staffing / utilities	26,315	Apr-2017	Apr-2016	Apr-2021
Victoria Primary Academy	Expansion	Staffing / utilities	26,315	Apr-2017	Apr-2015	Apr-2019
Rosslyn Primary	Expansion	Staffing	24,440	Apr-2017	Apr-2015	Apr-2018
Sycamore Primary	Expansion	Staffing / utilities	26,315	Apr-2017	Apr-2014	Apr-2019

Secondary Schools (TBC)

Trinity	Expansion	Staffing / utilities	36,841	Sep-2017	Sep-2017	Sep-2021
Trinity	Expansion	Classroom set up x1	8,000	Sep-2017	Sep-2017	Sep-2021

Page 28

TOTAL SPEND	882,752
17/18 fund	1,052,000
16/17 C/F balance	10,322
TOTAL FUND	1,062,322
REMAINING BALANCE	179,570

SCHOOLS FORUM – December 7th, 2017

Title of paper:	De-delegation of funding for the Behaviour Support Team (BST) in 2018/19
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults John Dexter, Director of Education
Report author(s) and contact details:	Kimberly Butler, Behaviour Support Team Leader Tel: 0115 8762433/38 Email: Kimberly.butler@nottinghamcity.gov.uk
Other colleagues who have provided input:	Julia Holmes, Senior Commercial Business Partner, Finance Joanne Zylinski, Service Redesign Consultant Jon Ludford-Thomas, Senior Solicitor, Legal Services Adisa Djan, Equality and Diversity Consultant

Summary

Since April 2013, funding for the Behaviour Support Team 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.

The funding is targeted towards those children with Social Emotional Mental Health (SEMH) difficulties and/or Special Educational Needs and Disability (SEND) where CYP:

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

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

In the event that the Schools Forum decides not to fund the BST the likelihood is that the team will cease to exist in its current form after March 2018.

Recommendation(s):

1	<p>For maintained mainstream primary schools to approve the de-delegation of funding for statutory services provided by the BST in 2017/18 at a rate of £55 per pupil eligible for free school meals and a lump sum of £0.003m per school.</p> <p>Total funding available for de-delegation by maintained mainstream primary schools is £0.227m. This is made up of £0.137m generated by pupils eligible for free school meals and £0.090m lump sum funding.</p>
2	<p>For maintained mainstream secondary schools to approve the de-delegation of funding for statutory services provided by the BST in 2017/18 at a rate of £55 per pupil eligible for free school meals and a lump sum of £0.003m per school.</p> <p>Total funding available for de-delegation by maintained mainstream secondary school is £0.027m. This is made up of £0.024m generated by pupils eligible for free school meals and £0.003m lump sum funding.</p>

3	If the proposals for de-delegation are not subsequently approved, approval will be sought from Schools Forum to fund any employment costs associated with the service being disbanded, this may include salary costs for April to June 2018 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 maintained schools by working to the following legislation:

- Children and Families Act 2014;
- SEND - new Code of Practice (updated 2015);
- Health and Safety Act 1974;
- The Equality Act (2010);
- Children Act 1989 - revised 2004;
- Exclusion Regulations - Education Act 2011;
- Exclusion Guidance, 2017;
- School Attendance (Education Act 1996) and amendments 2010;
- Admissions - Schools Admissions Code 2012 (Education Act 1996);
- Ofsted Framework 2012 (amended 2015).

1.2 The de-delegated budget will provide maintained Primary Schools with 454 days BST support/intervention, at no cost to school. Each of the 31 maintained Primary Schools will receive 3 days support per year, which we recommend is used for strategic planning and development and includes attendance at team around the school meetings.

The remaining 361 days are pooled and allocated on a needs basis according to the criteria listed below; to allow targeted support according to need across the 31 schools. The nature of the support/intervention offered would be negotiated with each school, following a consultation with staff, and the impact of the intervention/support will be monitored and measured in conjunction with SLT. Support/intervention may be offered at pupil, class or strategic level.

Criteria for involvement:

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

1.3 De-delegation for 2018-19 will ensure that sufficient staffing within the Behaviour Support Team can be retained, to deliver the above services and to ensure continued access to additional commissioned services, for academies and maintained schools.

Where schools commission support the detail of support will be negotiated between the school and BST. Services (as detailed in our traded brochures) may include:

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

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 The team currently comprises 4.6 full time equivalent (fte) teachers, 4.0 (fte) Behaviour Learning Mentors and 1.0 administration support. Over the last year, staffing has again reduced and models of service delivery reviewed once more, in order to offer continued value for money and provide a more efficient service delivery. Within the local region – there are no other dedicated behaviour support teams. Schools however are able to purchase elements of BST services from other commercial providers e.g. Team Teach and therapists. However, no other provider offers the full range of services that BST delivers as a single team. BST costings are competitive and represent real value for money. The team's in-depth knowledge of the City, the schools and families is a significant benefit to school staff.

The team's specialist work is still delivered across all key stages in schools across Nottingham City and in neighbouring local authorities and to other agencies. All staff members continue to deliver a combination of commissioned work to all settings as well as work that is free at the point of delivery to maintained primary schools. All traded work, including physical intervention training, which is purchased by maintained schools is currently billed at a discounted rate to maintained schools.

There have been increased requests to support and work with looked after children; plus deliver specialised packages to enable children/pupils, who are subject to Fair Access/Managed Move protocols, to successfully reintegrate into a new setting (which is commissioned by the LA).

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

those who meet the criteria; or through HLN, pupil premium funding or traded packages.

- 2.2 Since delegation of funding to academies was introduced the income raised through traded services has increased steadily year on year to complement the funding from maintained schools.
- 2.3 The team continues to diversify and is working hard to establish itself on a commercial footing by offering training and support to settings other than maintained schools and academies. For example, the team now delivers Positive Behaviour Support and RPI training in social care settings (2014) and RPI packages for Continuing Care Services (2017).

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 The LA has established a working party, bringing together a range of partners who work with children and young people who require support for SEMH. The Behaviour Support Team is part of these discussions. One outcome of the work of this wider group may involve longer-term structural solutions, impacting on a number of services citywide. The future viability of a central behaviour support service for schools and settings will be dependent upon the broader strategic decisions that will be made in the coming months and how the team may support a strategic response.
- 3.2 One option is to delegate funding directly to schools, so that all BST interventions are fully traded to maintained schools and no provision is made free of charge. The failure to de-delegate will lead to increased uncertainty that the team will be financially viable. The uncertainty regarding income may lead to a loss of experienced and knowledgeable staff and impact upon the team's sustainability and capacity to provide support to schools across the City.

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

- lack of a preventative service available to schools to support the inclusion of pupils with challenging behaviour/SEMH to remain in school;
- potential increased risk of physical injury and safeguarding risks to both staff and pupils which could result in costly litigation through inappropriate handling;
- reduction in access to support, including RPI, from a team which has extensive knowledge and strong relationships with Nottingham City Schools;
- increased risk of exclusion for vulnerable and challenging pupils – both fixed term and permanent ;
- lack of BST strategic advice available regarding handling policies/risk assessments to reduce the risk of harm and limit the likelihood of litigation and claims from either staff or young people;
- insufficient capacity to deliver positive handling training and support schools with risk reduction techniques;
- support for SEN processes will be reduced significantly, e.g. HLN and EHCP;
- reduced effectiveness of the CAF/early help planning due to a lack of support from BST;
- no City wide training or Senco Network input around SEMH;

- reduction in support for the primary and secondary Fair Access/Managed Move processes. BST deliver bespoke packages to support named pupils to successfully reintegrate into other settings;
- no BST attendance to represent schools at JCNC or joint working with the HSE around violent incidents;
- reduction in team capacity to support city wide strategic developments such as Routes to Inclusion and the Early Intervention Project. These developments aim over time to promote early intervention and long-term support needs plus improve outcomes and reduce exclusion.

3.3 The team has also been exploring a move to a fully traded service by developing processes for longer term commissioning arrangements with schools and other agencies. The team are currently consulting with schools and other commissioners about the possibility of alternative, longer term commissioning arrangements. De-delegation of the maintained schools budget would provide an element of certainty for the team while the longer-term processes become embedded.

This longer-term commissioning arrangement would:

- Support recruitment and retention of skilled and experienced staff;
- Enable the team and the schools to implement longer term strategic changes within the setting;
- Provide an opportunity for the commissioners and the team to review all elements of service delivery to ensure that interventions continued to meet future needs of schools;
- Enable the team to develop additional capacity over time.

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

The risks of such an action are identified in 3.2 above.

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

4 OUTCOMES/DELIVERABLES

4.1 Outcomes delivered 2016/17:

- Increased preventative work – income from traded work has increased year on year as schools are looking at early intervention and therapeutic support.
- Exclusion data:
 1. 135 pieces of casework were undertaken in 2016/17 around pupils cited as vulnerable to exclusion by their school (118 primary and 17 secondary).
 2. 58 pupils (9.81%) that BST were involved with were FTX and 28 of those pupils (48.27%) received only a single exclusion.
 3. 2 pupils that had sustained BST support were PX; and another 2 that had limited involvement were PX.

- 1,159 staff were trained in positive handling/RPI.
- Immediate BST response (via phone consultation or RPI call out to school) to emergency health and safety risks at school – an average of 1 per day.
- Casework data:

	2014/15	2015/16	2016/17
FS/KS1	110	205	272
KS2	78	172	187
KS3/4	74	178	132

- ‘Core’ – 42 FS/KS1 pupils in maintained primaries were supported as ‘core’ (***work delivered free of charge to maintained primaries***) by the team as they were deemed to be at increased risk of exclusion.
- Safeguarding – 180 pupils that BST supported had either active social care involvement or TFS/PF. BST attended meetings (e.g. ICPCs, core group) and contributed to reports around these children/pupils.
- EHCP process – BST attended PCRs and completed reports to support the EHCP process for 33 pupils across all key stages.
- HLN:
 - a) HLN 166 pupils received HLN funding under the SEMH (behaviour) criteria: 108 - Band A; 42 - Band B; 16 – Band C.
 - b) 9 x KS1/KS2 children received Band C funding and their school places were being directly maintained through sustained BST intervention.
 - c) An additional 73 pupils received no HLN funding (request did not meet the threshold) but their behaviour gave cause for concern. BST was commissioned by schools to support these pupils.
 - d) BST had active involvement with 150 pupils receiving HLN.
- Reducing financial risks and providing value for money:
 1. maintaining the pupil in school against the cost of a PRU place at £0.015m per pupil;
 2. the cost of a special school place at £0.020m-£0.025m per pupil;
 3. supporting the EHCP process at £0.006m per request.

4.2 In the academic year 2016/17 BST has directly worked in:

1. every City Primary School;
2. 13 of the 15 City Secondaries;
3. 7 of the 9 City Special Schools;
4. 1 free school in the City.

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

1. 2010/11 generated £0.032m
2. 2011/12 generated £0.050m
3. 2013/14 generated £0.098m
4. 2014/15 generated £0.171m (including £0.050m through positive handling training)
5. 2015/16 generated £0.260m (including £0.071m through positive handling training)
6. 2016/17 generated £0.252m (including £0.093m through positive handling training)

Table 1: Behaviour Support Team Projection 2018-19		
Income		
Projected DSG Income Statutory Services	-£0.227m	
Income from Schools	-£0.100m	
Income from RPI	-£0.080m	
Income from BST ad-hoc work	-£0.025m	
Total forecast Income		- £0.432m
Less Expenditure		
Projected Pay Costs		
Teachers	£0.201m	
Learning Mentors	£0.083m	
Admin	£0.019m	
NI	£0.028m	
Superannuation	£0.065m	
Apprenticeship Levy	£0.002m	
Total pay		£0.398m
Projected Non-pay Costs		
Projected Non Pay Costs:		
Resources/Stationery/IT/Phones	£0.001m	
Printing/Photocopying	£0.001m	
Accommodation/Cleaning	£0.014m	
Training / Room Hire / RPI Licences	£0.009m	
Mileage/Staff health	£0.005m	
Insurance	£0.004m	
Total non-pay		£0.034m
Total forecast Expenditure		£0.432m
Surplus/(Deficit)		£0.000m

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

- 5.1 As per “The national funding formula for schools and high needs Policy document – September 2017” for the next two financial years (2018/19 and 2019/20) local authorities will continue to set their local funding formula to distribute their schools block funding, in consultation with schools and their School Forum. However, local authorities will be funded based on the new national funding formula. Included within this “soft approach” is the ability for local authorities to be able to still request approval from maintained primary and secondary school representatives on Schools Forum for de-delegated services.
- 5.2 Any decisions made to de-delegate in 2017 to 2018 related to that year only; new decisions will be required for any service to be de-delegated in 2018 to 2019 and 2019 to 2020 before the start of each financial year.
- 5.3 Based on the latest Department for Education indicator data and known academy

conversions this proposal would result in maintained mainstream primary schools de-delegating £0.227m and maintained mainstream secondary schools £0.027m. **Appendix 1** shows a breakdown of the amount of funding that would be de-delegated by each maintained primary school should recommendation be approved.

- 5.4 The Projected DSG Income for Statutory Services for 2018/19 has been based on the assumption that only the primary phase may wish to consider de-delegation in 2018/19 as the secondary phase in previous years has not supported the de-delegation of funding for this service. However, should the secondary phase decide they would like to de-delegate funding the rate could be reduced to £46.85 per FSM pupil and the lump sum would reduce to £2,903.23 per school for both the primary and secondary phases.
- 5.5 If the proposals outlined in recommendations 1 and 2 are 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, based on the timeframe advised by HR the salaries of the team may still need to be paid for the month of April to June 2018 (worst case scenario), plus any pay protection costs for a year should the staff find alternative employment via the redeployment register. At present this value cannot be quantified. If approved, these costs would be funded from the Statutory School Reserve (SSR) and the value will be updated on the SSR quarterly monitoring report once it is known.

Recommendation 3 is being made to Schools Forum as the BST are funded from the Dedicated Schools Grant and there are no other sources of funding to cover these costs.

Julia Holmes
Senior Commercial Business Partner
23 November 2017

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

6.1 Legal Implications

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

6.1.2 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 6 (Items That May Be Removed From Maintained Schools' Budget Shares – Primary and Secondary Schools) of Schedule 2 [of the SEYFR] from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, under regulation 11(5) (SEYFR, regulation 12(1)(d)).* Part 6 of Schedule 2 of the SEYFR contains paragraph 39, which states:-

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

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

7 HR COLLEAGUE COMMENTS

7.1 As outlined in the body of the report, a decision not to continue funding arrangements is likely to lead to further reduction of the service. This would have significant workforce / financial implications relating to potential redundancy situations (that would need to be detailed separately in appropriate reports), including employment / contractual obligations, costs and risks to the authority and costs potentially funded by schools forum budget, and appropriate timelines for both teachers and LG employees. Potential exit payments, including redundancy and pension strain costs, of any affected post holders would also need to be considered. Staff at risk of redundancy may have access to redeployment opportunities and therefore costs associated with pay protection may also be incurred.

If the decision is to not de-delegate funding, uncertainty around post funding is likely to jeopardise the sustainability of the service in terms of staffing during transition to any alternative model of funding that may be identified.

8 EQUALITY IMPACT ASSESSMENT

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

No

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

Yes

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

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

9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 None

APPENDIX 1

Behaviour Support Team - Forecast de-delegation funding for 2018/19 based on October 2016 pupil data

School Name	Phase	PRI FSM Pupils	SEC FSM Pupils	De-delegation rate per pupil		Lump Sum per school	Funding De-delegated per school			
				PRI FSM	SEC FSM		PRI FSM	SEC FSM	Lump Sum	Total per school
Berridge Primary School	Primary	100.00	0.00	£55	£55	£3,000	£5,500	£0	£3,000	£8,500
Seely Primary School	Primary	126.00	0.00	£55	£55	£3,000	£6,930	£0	£3,000	£9,930
Bentinck Primary School	Primary	71.00	0.00	£55	£55	£3,000	£3,905	£0	£3,000	£6,905
Fernwood Primary School	Primary	43.00	0.00	£55	£55	£3,000	£2,365	£0	£3,000	£5,365
Cantrell Primary	Primary	111.00	0.00	£55	£55	£3,000	£6,105	£0	£3,000	£9,105
Carrington Primary School	Primary	16.08	0.00	£55	£55	£3,000	£884	£0	£3,000	£3,884
Dunkirk Primary School	Primary	50.12	0.00	£55	£55	£3,000	£2,757	£0	£3,000	£5,757
Melbury Primary School	Primary	74.00	0.00	£55	£55	£3,000	£4,070	£0	£3,000	£7,070
Middleton Primary School	Primary	20.00	0.00	£55	£55	£3,000	£1,100	£0	£3,000	£4,100
Heathfield Primary & Nursery School	Primary	117.02	0.00	£55	£55	£3,000	£6,436	£0	£3,000	£9,436
Walter Halls Primary School	Primary	109.00	0.00	£55	£55	£3,000	£5,995	£0	£3,000	£8,995
Southwold Primary	Primary	51.00	0.00	£55	£55	£3,000	£2,805	£0	£3,000	£5,805
Rise Park Primary School	Primary	84.00	0.00	£55	£55	£3,000	£4,620	£0	£3,000	£7,620
Crabtree Farm Primary And Nursery School	Primary	216.00	0.00	£55	£55	£3,000	£11,880	£0	£3,000	£14,880
Welbeck Primary School	Primary	75.26	0.00	£55	£55	£3,000	£4,139	£0	£3,000	£7,139
Mellers Primary And Nursery	Primary	85.00	0.00	£55	£55	£3,000	£4,675	£0	£3,000	£7,675
Haydn Primary School	Primary	34.00	0.00	£55	£55	£3,000	£1,870	£0	£3,000	£4,870
Hempshill Hall Primary School	Primary	77.00	0.00	£55	£55	£3,000	£4,235	£0	£3,000	£7,235
Glade Hill Primary School	Primary	60.00	0.00	£55	£55	£3,000	£3,300	£0	£3,000	£6,300
Claremont Primary School	Primary	81.21	0.00	£55	£55	£3,000	£4,466	£0	£3,000	£7,466
Snape Wood Primary School	Primary	87.00	0.00	£55	£55	£3,000	£4,785	£0	£3,000	£7,785
Forest Fields Primary School	Primary	91.68	0.00	£55	£55	£3,000	£5,042	£0	£3,000	£8,042
South Wilford Endowed Ce Aided	Primary	16.00	0.00	£55	£55	£3,000	£880	£0	£3,000	£3,880
Dovecote Primary	Primary	99.25	0.00	£55	£55	£3,000	£5,459	£0	£3,000	£8,459
Greenfields Community Primary	Primary	66.33	0.00	£55	£55	£3,000	£3,648	£0	£3,000	£6,648
Southglade Primary School	Primary	137.00	0.00	£55	£55	£3,000	£7,535	£0	£3,000	£10,535
Westglade Primary School	Primary	64.56	0.00	£55	£55	£3,000	£3,551	£0	£3,000	£6,551
Henry Whipple Primary School	Primary	73.00	0.00	£55	£55	£3,000	£4,015	£0	£3,000	£7,015
Robin Hood Primary School	Primary	101.24	0.00	£55	£55	£3,000	£5,568	£0	£3,000	£8,568
Rufford Primary And Nursery	Primary	153.00	0.00	£55	£55	£3,000	£8,415	£0	£3,000	£11,415
PRIMARY TOTAL		2489.74	0.00				£136,935	£0	£90,000	£226,935
Ellis Guilford School	Secondary	0.00	433.00	£55	£55	£3,000	£0	£23,815	£3,000	£26,815
SECONDARY TOTAL		0.00	433.00				£0	£23,815	£3,000	£26,815

GRAND TOTAL	2489.74	433.00

£136,935	£23,815	£93,000	£253,750

SCHOOLS FORUM 7 DECEMBER 2017

Title of paper:	De-delegation of 2018/19 Health and Safety Building inspection funding
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	David Thompson, Schools H&S Manager, Children and Adults Tel: (0115) 87 64608 e-mail: davidm.thompson@nottinghamcity.gov.uk
Other colleagues who have provided input:	Kenneth France, Contracts Manager, Property Maintenance Julia Holmes, Senior Commercial Business Partner, Finance Jon Ludford-Thomas, Senior Solicitor, Legal Services
Summary	
<p>The purpose of this report is to update Schools Forum on the statutory and legislative health and safety responsibilities of the Local Authority (LA) in relation to maintenance and testing of maintained school properties and how the funding requested is used to support this.</p> <p>This report seeks approval from Schools Forum to allocate funding for schools health and safety building equipment inspections for maintained primary and secondary schools.</p> <p>This report outlines two options for the funding of the tests and inspections.</p> <ol style="list-style-type: none"> 1. Fund the cost to health and safety tests and inspections from the schools health and safety buildings maintenance reserve for the financial years 2018/19 and 2019/20. or 2. Fund the cost to health and safety tests and inspections from a combination of funding from the schools health and safety buildings maintenance reserve and de-delegated funding from maintained schools for the next two financial years 2018/19 and 2019/20 to cover the costs of tests and inspections for the next five financial years. <p>This report seeks maintained schools to approve:</p> <ul style="list-style-type: none"> • Their preferred option; • If they agree option 1 is the preferred option, then both the primary and the secondary phase need to vote together to show if they agree with the proposal; • If they agree option 2 is the preferred option, then maintained primary and secondary schools need to vote individually to show if they agree to de-delegate funding for the proposal. Also both phases will need to vote to approve the use of the schools health and safety buildings maintenance reserve. 	
Recommendation(s):	
1	To note the statutory and legislative health and safety responsibilities of the LA in relation to building maintenance of maintained primary and secondary schools and the type of costs that the requested funding will be used to fund, detailed in paragraph 1.2.
2	For mainstream maintained primary and secondary schools to approve the allocation of £0.257m from the maintained schools health and safety building maintenance reserve to fund the costs for health and safety tests and inspections for maintained schools in the financial year 2018/19 and 2019/20.

3 If recommendation 2 is not approved, then maintained primary and secondary schools approval is sought to adopt **Option 2** outlined in paragraph 1.6.

For maintained mainstream primary schools to **approve** the de-delegation of:
Health and safety building inspection funding in 2018/19 based on a rate of £9.79 per pupil.
Total estimated funding requested to be de-delegated for mainstream maintained primary schools is £0.109m.

For the maintained mainstream secondary school to **approve** the de-delegation of:
Health and safety building inspection funding in 2018/19 based on a rate of £9.79 per pupil.
Total estimated funding requested to be de-delegated for the mainstream maintained secondary schools is £0.013m.

For both maintained primary and secondary schools to **approve** the allocation of £0.257m of the health and safety buildings maintenance to cover the costs of tests and inspections from 2018/19 to 2022/23.

1. REASONS FOR RECOMMENDATIONS

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

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

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

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

- Property Maintenance to fund the tests and inspections in maintained primary and secondary schools. These tests and inspections include, but are not restricted to:
 - Air Conditioning Units
 - Asbestos surveys
 - Automatic doors and gates
 - Boilers
 - Electrical circuit testing
 - Emergency lighting
 - Fire alarms
 - Heat pumps
 - Legionella risk assessments
 - Lifts
 - Lightning protection
 - Pressure sets
 - Stage lighting

Note that according to statutory and best practice, each of these servicing requirements vary in frequency, up to a 5 year interval. **Appendix A** outlines the tests and inspections carried out in schools and their frequency (excludes asbestos testing).

Appendix B shows the tests and inspections carried out in each school and the total projected cost for each school for all of the tests.

- 1.3 Approval of the funding for Health and Safety inspections is required for maintained mainstream school sites to enable the LA to deliver its statutory obligation regarding the health and safety of these sites.
- 1.4 Any remedial works that are required due to schools failing any tests or inspections will be organised and paid for from the Dedicated Schools Grant against the Capital expenditure from revenue funding held centrally within the Schools Block.
- 1.5 De-delegation approvals are annual regardless of the statutory nature.
- 1.6 Noted below are two proposals for the funding of the schools building health and safety tests and inspections in schools. The options below are being put forward to Schools Forum to give maintained schools the opportunity to decide if they wish to opt to:

Option 1

1. Fund the costs of the tests and inspections for 2018/19 and 2019/20 from the schools health and safety buildings maintenance reserve, after which maintained schools will be responsible for servicing contracts from 2020/21;

Or

Option 2

2. Maintained schools continue to de-delegate funding for 2018/19 and 2019/20 and this money as well as the Schools buildings Health and safety reserve would then be used to fund the tests and inspections for the next five years. Maintained schools would then be responsible for servicing the contracts from the financial year 2023/24. This option would ensure that no school would be treated unfairly if their five yearly inspections were due in the years 2020/21, 2021/22 or 2022/23 and thus would otherwise not have these funded by the de-delegated contributions in 2018/19 and 2019/20.

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

A policy has been produced by the Property Maintenance 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. This document can be found in the **Spa** Safety Manual.

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

- 2.2 Note that the funding does not include the Property Maintenance advisory service on such remedial matters; this service is available via an Education Services Nottingham contract.
- 2.3 Where tests and inspections are required as part of a health and safety management system, such as asbestos, legionella or fire safety, separate policies relating to these items are included in the appendices B, C and D of the “Statutory Testing & Inspection of Fixed Installations in Nottingham City Council Properties – Policy statement & Testing Procedures (October 2013 v 1.2b)”.
- 2.4 Approval to de-delegate the schools health and safety building inspection budget has been given by both the primary and secondary phases representatives of Schools Forum each financial year since 2013/14. Due to the basis upon which de-delegated budgets were 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 have academised the costs charged against the de-delegated funding has reduced but the budget has remained the same. Therefore, the schools health and safety buildings maintenance reserve balance has been rising over the last four years.

As at the 31 March 2016 the balance on the Health and Safety Building Maintenance Reserve was £0.177m.

- 2.5 This is why it is recommended that either options 1 or 2 in paragraph 1.6 are adopted to clear this balance on the reserve and to reduce the costs to maintained schools.
- 2.4 **Table 1** shows the budget and expenditure on the schools health and safety building maintenance in the last four years since the funding was first de-delegated.

Table 1: Breakdown of Schools Health and Safety Building Maintenance				
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	£0.174m	£0.079m	The under-spend of £0.079m at the year end was transferred to the Health and Safety Building Maintenance Reserve.
2015/16	£0.208m	£0.174m	£0.034m	The under-spend of £0.034m at the year end was transferred to the Health and Safety Building Maintenance Reserve.

2016/17	£0.199m	£0.177m	£0.022m	The under-spend of £0.022m at the year end was transferred to the Health and Safety Building Maintenance Reserve.
---------	---------	---------	---------	---

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

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

4. OUTCOMES/DELIVERABLES

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

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

- 5.1 As per "The national funding formula for schools and high needs Policy document – September 2017" for the next two financial years (2018/19 and 2019/20) local authorities will continue to set their local funding formula to distribute their schools block funding, in consultation with schools and their School Forum. Local authorities will be funded based on the new national funding formula. Included within this "soft approach" is the ability for local authorities to be able to still request approval from maintained primary and secondary school representatives on Schools Forum for de-delegated services.
- 5.2 This report provides Schools Forum with two options for the funding of health and safety tests and inspections as outlined in paragraph 1.6.
- 5.3 If maintained primary and secondary schools were to approve option 1 the costs of the tests and inspections would be funded from the health and safety building maintenance reserve for the financial years 2018/19 and 2019/20 and schools would then be responsible for funding the costs of tests and inspections from the financial year 2020/21. This is when de-delegation is no longer an option through the National Funding Formula, as the "hard formula" would then be in place. **Table 2** below is a breakdown of the income and expenditure required for option 1 over the two financial year's.

Table 2: Option 1 - Income and expenditure analysis for 2018/19 and 2019/20		
Current H & S building maintenance reserve balance	-£0.177m	
Plus forecast underspend in 2017/18	-£0.080m	
Total forecast H & S building maintenance reserve		-£0.257m
Less Forecast expenditure in 2018/19 and 2019/20		£0.200m
	Net surplus	-£0.057m

- 5.4 Note that the current balance of the schools health and safety building maintenance reserve is £0.177m as stated 2.4. At the end of the financial year 2017/18 it is projected that the closing balance will be £0.257m. Therefore, if this option were to be approved there would be a forecast surplus of £0.057m on the reserve at the end of 2019/20.
- 5.5 If there is a surplus balance on the reserve at the end of 2019/20 this will be reviewed and a separate report brought to Schools Forum outlining the proposed use of the remaining balance.
- 5.6 It should be noted that both options contain forecast expenditure estimates which are based on the current recharging basis. At present several of the servicing contracts are out to tender and maintained schools are currently being revaluated on their school meterage which will affect the recharges moving forward. Therefore, an accurate forecast cannot be achieved. However, when the budget is reviewed after the first year, if there is a risk of insufficient funding to cover both financial years then this would be highlighted to Schools Forum and a request for additional funding would be requested through de-delegation in 2019/20.
- 5.7 If maintained primary and secondary schools were to approve option 2, this would require the use £0.257m of the of the health and safety building maintenance reserve as well as maintained schools de-delegating £9.79 per pupil for the next two financial years. **Appendix C** shows an estimate of how much funding each school would be de-delegating based on the October 2016 Autumn Term census.

Should the balance on the reserve be higher than £0.257m at the end of 2017/18 the rate per pupil for 2019/20 could be reduced. If there was insufficient funding at the end of the first year the amount per pupil would need to be increased in 2019/20. **Table 3** below shows a breakdown of the projected income and expenditure for **option 2** over the five years.

Table 3: Option 2 - Income and expenditure analysis for 2018/19 to 2022/23		
Current H & S building maintenance reserve balance	-£0.177m	
Plus forecast underspend in 2017/18	-£0.080m	
Estimated income from de-delegation in 18/19 & 19/20	-£0.243m	
Total estimated H & S building maintenance reserve		-£0.500m
Less Forecast expenditure in 2018/19 and 2019/20		£0.500m
	Net surplus/(Deficit)	0

- 5.8 Unfortunately, due to the ESFA guidelines the LA has to request the de-delegation of funding on an annual basis. However, if this option were to be adopted it would be on the understanding that maintained schools would approve de-delegation in 2018/19 and 2019/20 separately.
- 5.9 Whichever option is adopted the full cost of the tests and inspections must be recouped from either the reserve or a combination of the reserve and de-

delegated funding.

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

Julia Holmes
Senior Commercial Business Partner
24 November 2017

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

6.1 **Legal Implications**

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

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

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

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

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

Expenditure on the schools' specific contingency.

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

7 **HR ISSUES**

7.1 There are no people implications arising from this report.

8 **EQUALITY IMPACT ASSESSMENT**

Has the equality impact been assessed?

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

No

Yes – Equality Impact Assessment attached

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

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

9.1 None

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

Nottingham City Council Policies:

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

Legislation:

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

APPENDIX D – EQUALITY IMPACT ASSESSMENT

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

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

Information used to analyse the effects on equality

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

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

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

There are no staffing issues generated by this decision.

Outcome(s) of equality impact assessment:

No major change needed X

Adjust the policy/proposal

Adverse impact but continue

Stop and remove the policy/proposal

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

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

Approved by: David Thompson Schools H&S Manager

Date sent to equality team for publishing:

This page is intentionally left blank

Estimated Cost per School 2018/19

Site	Type	Total
Bentinck Primary School	Air Conditioning - 6 Monthly Asbestos Management Survey - 5 Yearly Fire Alarms - Quarterly Heat Source Appliances - Annual x4 Lifts - Quarterly Lightning Protection - 11 Monthly Pressure Sets - Annual Stage Lighting - Annual	£2,911.00
Berridge Primary and Nursery School (x2 sites)	Emergency Lighting - 6 Monthly x2 Fire Alarms - Quarterly Gas Detectors - Annual Heat Source Appliances - Annual x6 Fire Alarms - 6 Monthly Fire Alarms - 6 Monthly Legionella Risk Assessments - 2 Yearly Fire Alarms - 6 Monthly	£2,248.32
Cantrell Primary School	Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - Quarterly x3 Heat Source Appliances - Annual x3 Lightning Protection - 11 Monthly Pressure Sets - Annual Gas Detectors - Annual Heat Source Appliances - Annual x4	£1,562.87
Carrington Primary and Nursery School	Asbestos Management Survey - 5 Yearly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x4 Air Conditioning - 6 Monthly Asbestos Management Survey - 5 Yearly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x2 Pressure Sets - Annual	£4,165.29
Crabtree Farm Primary and Nursery School	Air Conditioning - 6 Monthly Automatic Doors - 6 Monthly Automatic Gates - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x3 Legionella Risk Assessments - 2 Yearly Lifts - Quarterly Pressure Sets - Annual	£2,328.92
Dovecote Primary School	Air Conditioning - 6 Monthly Asbestos Management Survey - 5 Yearly Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Heat Source Appliances - Annual x4 Pressure Sets - Annual	£3,468.57
Dunkirk Primary and Nursery School (2 sites)	Air Handling - Quarterly Automatic Gates - 6 Monthly x2 Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly x3 Heat Source Appliances - Annual x5 Lifts - Quarterly Air Conditioning - 6 Monthly Legionella Risk Assessments - 2 Yearly	£6,023.28

Site	Type	Total
	Roller Shutters - 6 Monthly Automatic Doors - 6 Monthly Air Conditioning - 6 Monthly Asbestos Management Survey - 5 Yearly Emergency Lighting - 6 Monthly Heat Source Appliances - Annual x4 Pressure Sets - Annual	
Ellis Guilford School and Sports College	Air Conditioning - 6 Monthly Emergency Lighting - 6 Monthly Heat Source Appliances - Annual x15 Lifts - 6 Monthly Lifts - Monthly x2 Lifts - Quarterly x4 Pressure Sets - Annual Asbestos Management Survey - 5 Yearly	£8,687.87
Fernwood Primary and Nursery School (x2) sites	Air Conditioning - 6 Monthly Air Source Heat Pumps - 6 Monthly Fire Alarms - 6 Monthly x3 Gas Detectors - Annual Gas Detectors - Annual Heat Source Appliances - Annual x13 Legionella Risk Assessments - 2 Yearly Pressure Sets - Annual Asbestos Management Survey - 5 Yearly Emergency Lighting - 6 Monthly x3	£3,978.57
Forest Fields Primary And Nursery School	Air Conditioning - 6 Monthly Emergency Lighting - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x8 Lifts - Quarterly x2 Lightning Protection - 11 Monthly Pressure Sets - Annual	£2,212.70
Glade Hill Primary School	Air Conditioning - 6 Monthly Asbestos Management Survey - 5 Yearly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x6 Pressure Sets - Annual	£2,407.35
Greenfields Community School And Foundation Unit	Air Conditioning - 6 Monthly Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Heat Source Appliances - Annual x4 Pressure Sets - Annual	£934.31
Haydn Primary And Nursery School	Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x7 Asbestos Management Survey - 5 Yearly	£2,166.65
Heathfield Primary and Nursery School (x2 sites)	Air Conditioning - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Heat Source Appliances - Annual x6 Pressure Sets - Annual	£682.00
Hempshill Hall Primary And Nursery School	Air Conditioning - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x2 Pressure Sets - Annual	£596.63
Henry Whipple Primary School	Air Conditioning - 6 Monthly Automatic Doors - 6 Monthly Automatic Gates - 6 Monthly	£4,589.98

Site	Type	Total
	Gas Detectors - Annual Heat Source Appliances - Annual x4 Lifts - 6 Monthly x2 Lightning Protection - 11 Monthly Pressure Sets - Annual Stage Lighting - Annual Asbestos Management Survey - 5 Yearly Automatic Doors - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Fire Protection Equipment - Annual Hot and Cold Water Services - Quarterly Emergency Lighting - 6 Monthly	
Melbury Primary School	Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x2	£678.30
Mellers Primary School and Foundation Unit	Air Conditioning - 6 Monthly Air Source Heat Pumps - 6 Monthly Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x4 Lifts - Quarterly Pressure Sets - Annual	£2,281.53
Middleton Primary and Nursery School	Air Conditioning - 6 Monthly Asbestos Management Survey - 5 Yearly Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x7 Lightning Protection - 11 Monthly Pressure Sets - Annual x2 Lightning Protection - 11 Monthly	£2,676.29
Nottingham Nursery School And Training Centre	Automatic Doors - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Heat Source Appliances - Annual x3 Legionella Risk Assessments - 2 Yearly Lifts - Monthly Lightning Protection - 11 Monthly Pressure Sets - Annual Pressure Sets - Annual Roller Shutters - 6 Monthly	£2,453.73
Rise Park Primary And Nursery School	Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x4 Pressure Sets - Annual Asbestos Management Survey - 5 Yearly	£2,105.91
Robin Hood Primary School	Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly x2 Gas Detectors - Annual Heat Source Appliances - Annual x4 Pressure Sets - Annual	£743.56
Rosehill School	Air Conditioning - 6 Monthly Automatic Doors - 6 Monthly Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly	£1,593.33

Site	Type	Total
	Lightning Protection - 11 Monthly Pressure Sets - Annual Roller Shutters - 6 Monthly	
Rufford Primary and Nursery School	Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x5 Pressure Sets - Annual	£678.01
Seely Primary and Nursery School	Asbestos Management Survey - 5 Yearly Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Gas Detectors - Annual Gas Detectors - Annual Heat Source Appliances - Annual x10 Pressure Sets - Annual x2 Stage Lighting - Annual Asbestos Management Survey - 5 Yearly	£4,168.05
Snape Wood Primary and Nursery School	Asbestos Management Survey - 5 Yearly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly Gas Detectors - Annual Heat Source Appliances - Annual x4 Pressure Sets - Annual	£2,053.87
Southglade Primary School	Emergency Lighting - 6 Monthly x2 Gas Detectors - Annual Heat Source Appliances - Annual x4 Stage Lighting - Annual Fire Alarms - 6 Monthly x2	£1,144.40
Southwold Primary School and Early Years Centre	Asbestos Management Survey - 5 Yearly Automatic Gates - 6 Monthly x2 Emergency Lighting - 6 Monthly x2 Fire Alarms - 6 Monthly x2 Gas Detectors - Annual Heat Source Appliances - Annual x3	£2,541.05
Walter Halls Primary School	Gas Detectors - Annual Air Conditioning - 6 Monthly Automatic Gates - 6 Monthly Emergency Lighting - 6 Monthly Fire Alarms - 6 Monthly x2 Heat Source Appliances - Annual x11 Lifts - Quarterly Pressure Sets - Annual Stage Lighting - Annual Air Source Heat Pumps - 6 Monthly Fire Alarms - 6 Monthly	£2,831.06
Welbeck Primary School	Air Conditioning - 6 Monthly Emergency Lighting - 6 Monthly x2 Fire Alarms - 6 Monthly x2 Gas Detectors - Annual Heat Source Appliances - Annual x5 Legionella Risk Assessments - 2 Yearly Pressure Sets - Annual x2	£2,116.85
Westglade Primary School	Asbestos Management Survey - 5 Yearly Emergency Lighting - 6 Monthly x2 Fire Alarms - 6 Monthly x2 Gas Detectors - Annual Heat Source Appliances - Annual x5 Lightning Protection - 11 Monthly Pressure Sets - Annual	£2,533.63

TOTAL

£79,563.88

Work Classifications - Proposed Structure

Discipline	Element	Item	PPM Schedules	PPM Schedule Frequency
Electrical	Access Control Systems	Automatic Doors	Automatic Doors	6 monthly
Electrical	Access Control Systems	Automatic Gates	Automatic Gates	6 monthly
Electrical	Alarm Systems	Fire Alarms	Fire Alarms	Quarterly or 6 monthly
Electrical	Lifts	Fixed Hoists	Lifts	6 monthly
Electrical	Lifts	Passenger and Goods Lifts	Lifts	Monthly
Electrical	Lifts	Platform Lifts	Lifts	Quarterly
Electrical	Lighting	Emergency Lighting	Emergency Lighting	6 monthly
Electrical	Lighting	Stage Lighting	Stage Lighting	Annually
Electrical	Power	Electrical Installations	Electrical Installations	60 monthly
Electrical	Power	Lightning Protection	Lightning Protection	11 monthly
Fabric	Asbestos	Management Survey	Asbestos Management Survey	60 monthly
Fabric	Doors and Windows	Roller Shutters	Roller Shutters	6 monthly
Fabric	Structure	Fall Arrestors	Fall Arrestors	Annually
Mechanical	Air Conditioning	Air Conditioning	Air Conditioning	Quarterly 6 monthly
Mechanical	Air Conditioning	Chiller Units	Chiller Units	Quarterly 6 monthly
Mechanical	Fire Safety	Fire Shutters and Curtains	Fire Shutters and Curtains	Annually
Mechanical	Fire Safety	Gas and Fire Suppression	Gas and Fire Suppression	6 monthly
Mechanical	Fire Safety	Smoke Vents	Smoke Vents (Inspection) Smoke Vents (Service)	Annually Annually
Mechanical	Fire Safety	Sprinkler Systems	Sprinkler Systems (Service) Sprinkler Systems (Weekly Bell Test)	6 monthly Monthly
Mechanical	Gas	Gas Detectors	Gas Detectors	Annually
Mechanical	Heating	Air Source Heat Pumps	Air Source Heat Pumps	6 monthly Annually
Mechanical	Heating	Combined Heat and Power Units	Combined Heat and Power Units	Annually
Mechanical	Heating	Heat Source Appliances	Heat Source Appliances	Annually
Mechanical	Heating	Pressure Sets	Pressure Sets	Annually
Mechanical	Plumbing	Legionella Risk Assessments	Legionella Risk Assessments	24 monthly
Mechanical	Plumbing	Water Sampling	Water Sampling	Monthly
Mechanical	Ventilation	Air Handling Units	Air Handling	Monthly 2 monthly Quarterly 6 monthly Annually

This page is intentionally left blank

Forecast contributions that each maintained school will contribute through de-delegation in 2018/19 if Option 2 is approved

School Name	Phase	Age Weighted Pupil Unit	Primary Pupil numbers as per the October 2016 Census	Secondary Pupil Numbers	Funding allocated within the AWPU for Schools buildings Health & Safety maintenance	Total Funding allocated to school
Berridge Primary School	Primary	£3,123.25	615		£9.79	£6,021
Seely Primary School	Primary	£3,123.25	511		£9.79	£5,003
Bentinck Primary School	Primary	£3,123.25	206		£9.79	£2,017
Fernwood Primary School	Primary	£3,123.25	892		£9.79	£8,733
Cantrell Primary	Primary	£3,123.25	419		£9.79	£4,102
Carrington Primary School	Primary	£3,123.25	207		£9.79	£2,027
Dunkirk Primary School	Primary	£3,123.25	409		£9.79	£4,004
Melbury Primary School	Primary	£3,123.25	219		£9.79	£2,144
Middleton Primary School	Primary	£3,123.25	421		£9.79	£4,122
Heathfield Primary & Nursery School	Primary	£3,123.25	493		£9.79	£4,826
Walter Halls Primary School	Primary	£3,123.25	396		£9.79	£3,877
Southwold Primary	Primary	£3,123.25	199		£9.79	£1,948
Rise Park Primary School	Primary	£3,123.25	410		£9.79	£4,014
Crabtree Farm Primary And Nursery School	Primary	£3,123.25	401		£9.79	£3,926
Welbeck Primary School	Primary	£3,123.25	293		£9.79	£2,868
Mellers Primary And Nursery	Primary	£3,123.25	235		£9.79	£2,301
Haydn Primary School	Primary	£3,123.25	420		£9.79	£4,112
Hempshill Hall Primary School	Primary	£3,123.25	418		£9.79	£4,092
Glade Hill Primary School	Primary	£3,123.25	240		£9.79	£2,350
Claremont Primary School	Primary	£3,123.25	393		£9.79	£3,847
Snape Wood Primary School	Primary	£3,123.25	191		£9.79	£1,870
Forest Fields Primary School	Primary	£3,123.25	541		£9.79	£5,296
South Wilford Endowed Ce Aided	Primary	£3,123.25	342		£9.79	£3,348
Dovecote Primary	Primary	£3,123.25	398		£9.79	£3,896
Greenfields Community Primary	Primary	£3,123.25	203		£9.79	£1,987
Southglade Primary School	Primary	£3,123.25	413		£9.79	£4,043
Westglade Primary School	Primary	£3,123.25	249		£9.79	£2,438
Henry Whipple Primary School	Primary	£3,123.25	199		£9.79	£1,948
Robin Hood Primary School	Primary	£3,123.25	418		£9.79	£4,092
Rufford Primary And Nursery	Primary	£3,123.25	355		£9.79	£3,475
		Key stage 3				
		£4,298.40 Key				
		stage 4				
Ellis Guilford School	Secondary	£5,012.24		1,302	£9.79	£12,747
			11,106	1,302	-	£121,474

Note:

The Age Weighted Pupil Unit is based on the AWPU rates in 2017/18

The Pupil data is based on the October 2016 Autumn Term Census

This page is intentionally left blank

SCHOOLS FORUM - 7 DECEMBER 2017

Title of paper:	De-delegation of funding for EAL/Ethnic Minority Achievement (EMA) IDEAL service
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	Jane Daffé, Senior Achievement Consultant, Vulnerable Groups Email: jane.daffe@nottinghamcity.gov.uk Tel: 0115 8764680
Other colleagues who have provided input:	Julia Holmes, Senior Commercial Business Partner Email: julia.holmes@nottinghamcity.gov.uk Tel: 0115 8763733 Leanne Sharp/Joanne Zylinski, Service Redesign Consultants, HR Email: Leanne.sharp@nottinghamcity.gov.uk Jon Ludford-Thomas, Senior Solicitor, Legal Services Email: Jon.Ludford-Thomas@nottinghamcity.gov.uk

Summary

The EMA Team was historically funded through the Ethnic Minority Achievement Grant (EMAG) and, additionally, the Exceptional Circumstances Grant (ECG) for pupils with English as Additional Language (EAL). Following the mainstreaming of Standards Fund Grants into the Dedicated Schools Grant, these funding streams have ceased to be separately identifiable. Under the current school funding arrangements since April 2013, support for minority ethnic pupils that was previously funded centrally now forms part of the school formula. However, funding can be retained centrally on behalf of maintained schools if de-delegation is agreed.

At the November 2016 Schools' Forum, a report was submitted by Jane Daffé, Senior Achievement Consultant within the IDEAL (Identity, Diversity and EAL) team, Vulnerable Groups and the proposal to de-delegate the EMA team funding was agreed for the financial year 2017/18. This was to allow time for the service to further develop its traded work.

Over the last financial year the IDEAL brand has become further established and recognised with marketing of services to City schools and academies and beyond. We continue to widen our traded offer to external schools, Local Authorities and other organisations regionally and nationally. The take-up of this offer has again been positive over the last 12 months. Specialist services continue to be adapted and tailored to meet the changing needs and demands of our community and customers and income generation is ongoing; our Year 11 new arrivals provision in particular continues to have very positive outcomes and has attracted interest from the DfE and the University of Nottingham School of Education.

The importance of EAL work as an area of national priority is evident and the recently introduced EAL Proficiency Levels as part of the annual schools' census have also raised the profile. We continue to experience increasing numbers of newly arrived EAL and other ethnic minority pupils into Nottingham City schools. We have seen a steady increase in the proportion of ethnic minority pupils, up from 43% of the school population in 2011 to 53% in the most recent school population census. Within that group, the percentage of EAL pupils has risen from 22% to 32%. Given this increased pressure on schools and the timeframe to enable the IDEAL service to create a secure traded position, it requires de-delegation of EMA funding for the financial year 2018/19 to continue to provide support for Nottingham City schools effectively. During this period, the IDEAL service will generate further traded income from a range of sources to allow its services to schools to remain competitive.

Recommendation(s):	
1	For maintained mainstream primary and secondary schools to approve the de-delegation of funding for EMA at a rate of £44.56 per EAL3-funded pupil for 2018/19 to ensure that the IDEAL team has sufficient time to create programmes and products for a more fully traded service to be established: (a) maintained mainstream primary schools - £0.097m (b) maintained mainstream secondary schools - £0.003m (based on October 2016 census and to be reviewed at Autumn census 2017)
2	If recommendation 1 is not approved maintained mainstream primary and secondary schools are requested to approve the de-delegation of a standardised lump sum at a rate of £3,218 per school for 2018/19 to ensure that the IDEAL team has sufficient time to create programmes and products for a more fully traded service to be established: (a) maintained mainstream primary schools - £0.097m (b) maintained mainstream secondary schools - £0.003m (based on October 2016 census and to be reviewed at Autumn census 2017)
3	If recommendations 1 or 2 are not approved, approval is sought from Schools Forum to fund any employment costs associated with the service being disbanded, this may include salary costs for April to June 2018 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 Since the last report was presented to Schools' Forum in November 2016, regarding the de-delegation of funding for EMA services, there has been continued progress towards the service becoming more fully traded. The IDEAL team has created additional tailored programmes, resources and products and has continued to create an extended customer base beyond the LA to help ensure that the service is maintained. If Schools' Forum approves either recommendations 1 or 2 to de-delegate EMA funding for the year 2018/19 this timeframe will support the service to achieve its target of becoming fully traded. **To note – the £44.56 figure represents 8% of the funding for each primary EAL-funded pupil (primary schools retain 92%) and 2% of the funding for each secondary EAL funded pupil (secondary schools retain 98%).**
- 1.2 If the Schools' Forum does not agree to de-delegate funds for a further year (2018/19) this will result in the IDEAL team becoming totally dependent upon income generation. This will result in some or all team members (of 2.6 consultants and the administrative assistant) being made redundant as income is currently insufficient to maintain all 4 posts. This would:
- potentially result in the IDEAL service area no longer existing;
 - leave the LA vulnerable with no central provision to support schools to raise the achievement of EAL/ethnic minority pupils which is a growing percentage of the school population and a national priority as evidenced by the recent interest from the DfE into our work with asylum seekers and refugees;
 - leave no central resource to assist schools and the Fair Access Panel with the language and cognitive assessment of new arrivals with little or no English;
 - require Schools' Forum to undertake its own negotiations for the established Year 11 EAL new arrivals provision. It would also need to monitor the provision or arrange for individual secondary schools to organise their own provision independently;

- result in no Gypsy Roma and Traveller or Asylum Seeker/Refugee support as this service was absorbed into the IDEAL service area in 2009.
- 1.3 If de-delegation for 2018/19 is not agreed there would be a loss of local expertise and schools would have to manage all EMA/EAL requirements independently of LA support; there is no similar expertise available within the Local Authority. The IDEAL team has expertise that is recognised both nationally and internationally for example:

English as an Additional Language – Sharon Mitchell-Halliday is a licensed LILAC tutor (Language in Learning across the Curriculum – a professional development course to support the teaching of EAL learners and to develop literacy in mainstream classrooms

- a licenced Eiklan tutor (a Speech and Language in Communication course)

- British Council, EAL Nexus CPD Expert for the East of England– Sharon Mitchell-Halliday was identified as an EAL expert and worked with schools across the East for the EAL Nexus project. The intention of this project was to develop approaches, activities and materials to be disseminated to a wider audience;

New Arrivals – Jane Daffé leading on the successful Year 11 provision supporting the education of asylum seeker/refugees (including unaccompanied), Roma, Teenage Parents and other vulnerable groups

Syrian Resettlement Programme - Sharon Mitchell-Halliday leading on the development of this successful project with schools

Global and Anti-Racist Perspectives within the curriculum – GARP (co-author Jane Daffé, provision of resources and training nationally and internationally including the Council of Europe);

Black Achievement and Dual/Mixed Heritage Achievement initiatives (Jane Daffé, Nottingham City recognised best practice by the National Strategies).

Equalities legislation – (Jane Daffé, guidance and training for schools to ensure understanding and compliance with national requirements)

- 1.4 This expertise and local knowledge would be impossible to replace if the service was lost; provision in neighbouring authorities is very limited and the IDEAL team's reputation is very strong. The DfE is currently interested in our work with unaccompanied asylum seekers and hope to use our expertise to develop a model for other local authorities.

- 1.5 In the academic year 2016-17, the 2.6 consultants provided services to **48 City schools / academies**. This can be broken down as follows:
- **29** City schools/academies attended central training events
 - **18** maintained schools used their bespoke one-day free consultant support
 - **12** secondary schools/academies attended free EAL network meetings
 - **10** primary schools / academies attended free EAL network meetings
 - **4** secondary schools are participating in the 3-year Nottingham University MEITS project (multilingualism in schools)
 - **7** City schools/academies participated in the Young Black Achievers Event 2016
 - **140** EAL baseline assessments and reports were completed for the Fair Access process in order to inform an appropriate school placement

In addition, some of these activities were traded with a range of schools and other institutions beyond Nottingham City e.g. Nottinghamshire schools, other Virtual Schools, colleges. The above services covered a range of initiatives – EAL, Asylum Seekers/refugees, New Arrivals Excellence, Black Achievement, Racism – in the

form of staff CPD, in-class partnership work, pupil support, teaching resources and strategies.

The Annual Conference attracted delegates and participants from City schools as well as Nottingham University, Derby Virtual School, County schools, Central College, CAMHS and Nottingham and Notts Refugee Forum.

IDEAL consultants have also delivered additional training at events organised by others:

NQT CPD programme

Early Years CPD Programme

Teaching Assistant Conference

Bluecoat SCITT

Other significant contributions

Some of the other important pieces of work are harder to quantify but equally valuable for our relationships with children, families and schools:

IDEAL also managed the further development and mainstreaming of the successful **Year 11 international new arrivals provision** for City schools, as well as contributing significantly to teaching and learning, with very positive outcomes for that vulnerable cohort. We are working in collaboration with the University of Nottingham's School of Education on their international research into refugee education (with Sweden). This Year 11 work is currently under consideration with the DfE with a view to rolling out the model in other local authorities.

Syrian Resettlement Programme - Sharon Mitchell-Halliday has coordinated this work and ensured well-organised, timely and appropriate placements in schools for this vulnerable cohort, support and information for families, ongoing support and advice for receiving schools and regular progress checks.

MEITS – Longitudinal multilingualism research project with Nottingham and Cambridge Universities. Sharon Mitchell-Halliday has coordinated this work with participating City schools. Outcomes are intended to include a celebration of our linguistic diversity and skills in schools as well as sharing of best practice in the teaching of languages and EAL.

A strong and mutually beneficial relationship with **Nottingham and Notts Refugee Forum** has been formed; information is shared and regular collaboration is now established.

- 1.6 The most recent 2017 outcomes for City pupils demonstrate the effectiveness of our work with schools to meet the needs and ensure progress for EAL and ethnic minority learners, as follows:

These figures are taken from the NCER Emerging National and Local data summaries (August 2017)

KS1 attainment (% working at expected standards or above)

	Nottm			National		
	Reading	Writing	Maths	Reading	Writing	Maths
EAL pupils	66% -5	60% -6	70% -4	71%	66%	74%
English first language pupils	72% -5	64% -5	71% -5	77%	69%	76%

(fig in red shows gap with national for peer group)

	Nottm			National		
	Reading	Writing	Maths	Reading	Writing	Maths
White pupils	68 -8	60 -8	70 -5	76	68	75
Black pupils	75 -2	68 -3	71 -2	77	71	73
Asian pupils	73 -4	67 -4	73 -4	77	71	77
Mixed heritage	72 -6	65 -5	72 -4	78	70	76

KS2 attainment (Reading/Writing/Maths) - % with 100 or higher on scaled scores

	Nottm	National
EAL pupils	55% -2	57%
English first language pupils	58% -4	62%

	Nottm	National
White pupils	57 -4	61
Black pupils	57 -2	59
Asian pupils	60 -2	62
Mixed heritage pupils	60 -2	62

1.7 The data demonstrates that:

At KS1, the gap between EAL pupils and their English-speaking peers is similar to the gap nationally.

- The outcomes for EAL pupils in maths is almost the same as their peers.
- Black, Asian and Mixed heritage pupils outperform their White peers in all subjects.
- The gap with national is smaller for Black pupils and wider for White pupils

At KS2, the gap between EAL pupils and their English-speaking peers is smaller than the gap nationally.

- Outcomes for EAL pupils in Nottingham is only 2% below national for that group (4% gap for English first language pupils)
- The gap has narrowed from KS1 to KS2 for EAL pupils
- Outcomes for Asian and Mixed heritage pupils are higher than White or Black pupils
- The gap to national is wider for White pupils
- The gap has narrowed from KS1 to KS2 for all ethnic groups

(We await latest 2017 performance data at KS4 analysed by language and ethnicity).

- 1.8 It is proposed that representatives of maintained primary and maintained secondary schools separately agree to approve the de-delegated funding based on one of the two options outlined below:

Option 1

£44.56 per EAL-funded pupil (based on the revised 3 year new entrant EAL indicator) for the financial year 2018/19. If de-delegation is approved the offer to maintained schools would vary according to their level of contribution (see paragraph 1.9)

Or

Option 2

£3,218 per school (based on the revised 3 year new entrant EAL indicator) for the financial year 2018/19. If de-delegation is approved the core offer to all maintained schools would be the same for each school (see paragraph 1.9)

- 1.9 The IDEAL team has been responsive to emerging local needs and continues to offer core support to Nottingham City schools at no cost as agreed at Schools' Forum in November 2016 following the agreement to de-delegate. If de-delegation were to be approved in 2018/19, we propose to amend the core offer as outlined below:

If **Option 1** were to be approved, in order to better reflect the differing levels of financial contribution made by individual schools based on the per EAL pupil factor, the core offer would be:

All maintained primary and secondary schools have an entitlement to:-

- a named consultant for bespoke advice;
- free access to phase-based termly EAL network meetings to share good practice with other school staff;
- 1 day consultant support in school (could include staff training, partnership teaching, audit, planning and data analysis etc).

In addition, those schools contributing **more than £1,100** would have an entitlement to further free support and CPD (four distinct groups have been identified, reflective of the level of contribution) as detailed in Appendices 1 and 2.

If **Option 2** were to be approved, to address the issue of some schools contributing significant funding and still having high numbers of EAL pupils not funded through the EAL factor due to their school population profile, there would be a standardised lump sum contribution per school; the core offer would therefore be the same for all schools:

All maintained primary and secondary schools have an entitlement to:-

- a named consultant for bespoke advice;
- free access to phase-based EAL network meetings to share good practice with other school staff;
- 1 day consultant support in school (could include staff training, partnership teaching, audit, planning and data analysis etc) **plus**
- 2 free places at the annual IDEAL conference
- 1 free place at **all 9 annual central CPD sessions**

Both options outlined above provide an increase to the previous core offer; the market value of the services offered reflect the financial contribution of the schools.

1.10 Without further de-delegation, schools would have to make provision for underachieving ethnic minority and EAL pupils independently and fund all necessary activities; schools would have to either train their own staff or seek external providers to support them with the specific skills required to effectively teach these groups of pupils; they would have to monitor statutory developments independently to ensure they were meeting legal requirements and translate them for the school context and would need to create their own, or source independently, resources which celebrate the diversity of children in City schools.

1.11 As a City Council there is a focus on newly arrived and emerging communities across the City and the services that are required to support their integration into local communities. It would be a regressive step to ensure that families and individuals arriving in the City are supported to find school places alongside other services but have no central services available to schools to support the specific needs, language acquisition and attainment of these pupils.

1.12 **Future developments**

De-delegation for 2018/19 will also provide the IDEAL team with additional time to further develop their traded services.

We are currently planning an exciting new initiative for City schools – the Advanced practitioners in EAL CPD programme, a year-long accredited programme aimed at experienced teachers and teaching assistants working in this field; we aim to further develop the school-to-school support by expanding the network of “experts” across the City.

Plans are underway to improve the Fair Access process for primary children (EAL new arrivals) with a dedicated EAL specialist providing a consistent service from assessment to report to high-quality time-limited in-school support for this cohort.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

2.1 The IDEAL team has absorbed the provision made by other services that were removed in previous City Council reorganisations. This includes the Traveller Education Services and Asylum Seeker Support Team. The team has for over 6 years had 3 consultant vacancies that have not been filled which has meant that the team size and capacity to deliver support to schools has been halved, but the cost of de-delegation is equally reduced to cover team costs in the current structure.

Salary costs of the service have been reduced to £0.191m (from £0.198m in 2016/17).

- 2.2 Historically, the team has provided:
- an immediate response to requests for information and support for ethnic minority or EAL pupils;
 - training for specialist teachers and other school staff in the areas of ethnic minorities, EAL, Gypsy, Roma and Traveller, Black Achievement, Equality and Diversity;
 - support in the assessment of the attainment levels and support requirements of new arrivals with little or no English;
 - support in the analysis of data of minority ethnic groups;
 - resources to assist with the teaching of pupils new to English, those acquiring higher level English skills and themed approaches for example Black History Month, Global and Anti-Racist Perspectives;
 - training for governors in school responsibilities for vulnerable groups of pupils and Equalities;
 - City network meetings with a focus on EAL
- 2.3 For many years the LA retained an element of EMAG funding which enabled the EMA central team of consultants to provide a variety of resources and peer training to school staff free of charge. Peer training activities included joint lesson planning and teaching, role modelling, strategic planning and delivery support for EMAG teachers, staff meetings and phase specific network meetings. Whilst schools have been able to use their EMAG allocation for in-school provision there was previously no charge for central support which, in some cases, amounted to several days of consultant time.
- 2.4 If the service does not generate enough income to sustain itself it is appreciated that staffing will have to be reduced or completely removed from the City Council structure.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 If de-delegation is not agreed under either option, all maintained schools will retain the £44.56 per EAL3 pupil via the funding formula. However, schools will then have to manage all EMA requirements independently.

4 OUTCOMES/DELIVERABLES

- 4.1 The outcomes for vulnerable EM groups are measured annually through end of Key Stage and GCSE records. These are analysed by Analysis and Insight as well as the IDEAL team and trends are identified. Central CPD provision and packages of support are adapted in light of these findings.
- 4.2 The progress and attainment within individual schools of EM groups are analysed with LA and school staff to identify vulnerable groups, promote best practice and provision and determine support to be offered to the school.
- 4.3 Ofsted inspections will report on the progress of groups within schools. The team will monitor these reports and identify LA trends which will be addressed in future

central CPD provision and individual programmes created for schools identified with underachieving groups.

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

- 5.1 As per “The national funding formula for schools and high needs Policy document – September 2017” for the next two financial years (2018/19 and 2019/20) local authorities will continue to set their local funding formula to distribute their schools block funding, in consultation with schools and their School Forum. However, local authorities will be funded based on the new national funding formula. Included within this “soft approach” is the ability for local authorities to be able to still request approval from maintained primary and secondary school representatives on Schools Forum for de-delegated services.
- 5.2 Any decisions made to de-delegate in 2017 to 2018 related to that year only; new decisions will be required for any service to be de-delegated in 2018 to 2019 and 2019 to 2020 before the start of each financial year.
- 5.3 Based on the latest available DfE indicator data and known academy conversions, the proposals highlighted in Options 1 and 2 would result in maintained mainstream primary schools de-delegating £0.097m and maintained secondary schools £0.003m. Therefore, an estimated £0.100m would be available to cover the existing cost of the EMA service.
- 5.4 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.
- 5.5 If the proposals outlined in recommendations 1 or 2 are not approved, as outlined in section 7.1, there would be significant workforce implications. If members of the team were to be made redundant the redundancy costs would be met from the Corporate Redundancy budget. However, the salaries of the team may still need to be paid for the month of April to June 2018 (worst case scenario) plus any pay protection costs for a year should the staff find alternative employment via the redeployment register. At present this value cannot be quantified. If approved, these costs would be funded from the Statutory School Reserve quarterly monitoring report once it is known.

Recommendation 3 is being made to Schools Forum as the EMA Team are funded from the Dedicated Schools Grant and there are no other sources of funding to cover these costs.

- 5.6 Noted below is a breakdown of the projected income and expenditure for the Ethnic Minority Achievement Team in 2018/19.

The total estimated cost of the Ethnic Minority Achievement Team in 2018/19 is £0.211m.

EMA Income and expenditure projection 2018/19		
Income		
De-delegated funding	-£0.100m	
Traded income	-£0.111m	
Total forecast income		
		-£0.211m
Less expenditure		
Projected pay costs	£0.191m	
Projected non-pay costs	£0.020m	
Total forecast expenditure		£0.211m
Variance		0

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

6.1 Legal Implications

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

6.1.2 Chapter 2 of Part 2 of the SEYFR is entitled "Further Deductions and Variations to Limits Authorised by School Forums or the Secretary of State" and it contains regulation 12 of the SEYFR. Under regulation 12 of the SEYFR, on the application of a local authority the schools forum may authorise the redetermination of schools' budget shares by removal of any of the expenditure referred to in Part 6 (Items That May Be Removed From Maintained Schools' Budget Shares – Primary Schools and Secondary Schools) of Schedule 2 [of the SEYFR] from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, under regulation 11(5) (SEYFR, regulation 12(1)(d)). Part 6 of Schedule 2 of the SEYFR contains paragraph 50, which states:-

Expenditure for the purposes of—

- (a) improving the performance of under-performing pupils from minority ethnic groups; or
- (b) meeting the specific needs of bilingual pupils.

6.1.3 Therefore, Nottingham City Schools Forum has the power to approve the recommendations in this report by virtue of the above legislation. The schools forum's 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. Furthermore, under regulation 8(9A) of the Schools Forums (England) Regulations 2012 (as amended), only the schools members of the schools forum who are representatives of mainstream local authority maintained primary schools may vote to decide whether or not to approve the recommendations in this report where they relate to mainstream local authority maintained primary schools, and under regulation 8(9B) of the Schools Forums (England) Regulations 2012 (as amended), only the schools members of the

schools forum who are representatives of mainstream local authority maintained secondary schools may vote to decide whether or not to approve the recommendations in this report where they relate to mainstream local authority maintained secondary schools.

6.1.4 Lastly, it is advisable that legal advice is taken by the authority's officers about the trading by the IDEAL service referred to in this report.

Jon Ludford-Thomas
Senior Solicitor
Legal Services

7 HR COLLEAGUE COMMENTS

7.1 In the event that Schools Forum does not support/agree the continuation of funding arrangements as outlined in this report there would be significant workforce implications that would need to be detailed in separate Chief Officer and DMT reports. Management will also need to be aware of potential costs in any exit arrangements such as redundancy compensation as this will need to be budgeted for.

Should the proposal be rejected then it would result in a disestablishment of the team. This will mean that the process to be instigated would need to be in line with the NCC guidance and national legislation. Management would need to ensure a plan is in place with appropriate timelines to undertake genuine and meaningful consultation with both Trade Unions and affected individuals. Individuals would need to be given appropriate contractual notice to terminate their contracts on grounds of redundancy which will vary depending on their length of service.

Post holders may also have access to the Redeployment Register and any costs relating to time on the register, potential work trials and pay protection must be picked up by the exporting department. If individuals are not redeployed into alternative roles prior to the termination of their contracts, their maybe redundancy costs and in addition there may also be pension strain costs if the affected individuals are between the age of 55 and 60.

Leanne Sharp/Joanne Zylinski
Service Redesign Consultants
11-Oct-2017

8 EQUALITY IMPACT ASSESSMENT

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

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

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

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

9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

10.1 Analysis and Insight August 2017 – NCER Emerging Data Summaries

10.2 Financial report – EAL funding analysis per school/academy

School Name	Primary Units					Secondary Units					Total EAL remaining per school after de-delegation	Info from Oct 2016 census	
	Units	Funding Allocated through the local funding formula 2017/18		Funding De-delegated in 2017/18		Units	Funding Allocated through the local funding formula 2017/18		Funding De-delegated in 2017/18			Total EAL as per Oct Census	Variance
	EAL 3 Primary Units	Rate per EAL3 pupil	Total EAL Primary £	Rate per EAL3 pupil de-delegated	Total De-delegation 2017/18	EAL 3 Secondary Units	Rate per EAL3 pupil	Total EAL Secondary £	Rate per EAL3 pupil de-delegated	Total De-delegation 2017/18			
Total	2165.49		£1,313,955.37		£96,494.31	73.00				£3,252.88	£1,362,657.33	2923	-670
Berridge Primary School	327.15	£606.77	£198,506.17	£44.56	£14,577.90	0.00	£2,033.55	£0.00	£44.56	£0.00	183,928	442	-115
Seely Primary School	65.36	£606.77	£39,658.77	£44.56	£2,912.46	0.00	£2,033.55	£0.00	£44.56	£0.00	36,746	110	-44
Fernwood Primary School	152.47	£606.77	£92,513.23	£44.56	£6,793.99	0.00	£2,033.55	£0.00	£44.56	£0.00	85,719	173	-21
Bentinck Primary School	93.11	£606.77	£56,494.74	£44.56	£4,148.86	0.00	£2,033.55	£0.00	£44.56	£0.00	52,346	129	-36
CANTRELL PRIMARY	16.34	£606.77	£9,914.52	£44.56	£728.10	0.00	£2,033.55	£0.00	£44.56	£0.00	9,186	21	-5
CARRINGTON PRIMARY SCHOOL	37.42	£606.77	£22,707.60	£44.56	£1,667.60	0.00	£2,033.55	£0.00	£44.56	£0.00	21,040	62	-25
Dunkirk Primary School	210.95	£606.77	£127,995.44	£44.56	£9,399.73	0.00	£2,033.55	£0.00	£44.56	£0.00	118,596	204	-9
MELBURY PRIMARY SCHOOL	13.98	£606.77	£8,481.87	£44.56	£622.89	0.00	£2,033.55	£0.00	£44.56	£0.00	7,859	27	-12
Middleton Primary School	78.14	£606.77	£47,410.42	£44.56	£3,481.73	0.00	£2,033.55	£0.00	£44.56	£0.00	43,929	136	-58
HEATHFIELD PRIMARY & NURSERY SCHO	67.67	£606.77	£41,060.13	£44.56	£3,015.38	0.00	£2,033.55	£0.00	£44.56	£0.00	38,045	66	-3
Waller Halls Primary School	51.40	£606.77	£31,186.90	£44.56	£2,290.31	0.00	£2,033.55	£0.00	£44.56	£0.00	28,897	84	-32
SOUTHWOLD PRIMARY	57.36	£606.77	£34,803.61	£44.56	£2,555.91	0.00	£2,033.55	£0.00	£44.56	£0.00	32,248	82	-25
RISE PARK PRIMARY SCHOOL	25.70	£606.77	£15,592.78	£44.56	£1,145.10	0.00	£2,033.55	£0.00	£44.56	£0.00	14,448	30	-4
Crabtree Farm Primary and Nursery School	30.13	£606.77	£18,283.77	£44.56	£1,342.72	0.00	£2,033.55	£0.00	£44.56	£0.00	16,941	41	-11
WELBECK PRIMARY SCHOOL	106.55	£606.77	£64,648.59	£44.56	£4,747.67	0.00	£2,033.55	£0.00	£44.56	£0.00	59,901	116	-7
Mellers Primary and Nursery	80.53	£606.77	£48,865.44	£44.56	£3,588.58	0.00	£2,033.55	£0.00	£44.56	£0.00	45,277	99	-17
Haydn Primary School	12.83	£606.77	£7,786.88	£44.56	£571.85	0.00	£2,033.55	£0.00	£44.56	£0.00	7,215	42	-29
Hemphill Hall Primary School	21.02	£606.77	£12,752.34	£44.56	£936.51	0.00	£2,033.55	£0.00	£44.56	£0.00	11,816	17	-4
Glade Hill Primary School	15.09	£606.77	£9,153.56	£44.56	£672.22	0.00	£2,033.55	£0.00	£44.56	£0.00	8,481	15	-0
Claremont Primary School	161.76	£606.77	£98,149.00	£44.56	£7,207.87	0.00	£2,033.55	£0.00	£44.56	£0.00	90,941	194	-32
Snape Wood Primary School	20.04	£606.77	£12,161.62	£44.56	£893.13	0.00	£2,033.55	£0.00	£44.56	£0.00	11,268	13	-7
Forest Fields Primary School	308.32	£606.77	£187,081.85	£44.56	£13,738.92	0.00	£2,033.55	£0.00	£44.56	£0.00	173,343	388	-79
SOUTH WILFORD ENDOWED CE AIDED	7.25	£606.77	£4,399.62	£44.56	£323.10	0.00	£2,033.55	£0.00	£44.56	£0.00	4,077	6	-1
Dovecote Primary	27.85	£606.77	£16,897.57	£44.56	£1,240.92	0.00	£2,033.55	£0.00	£44.56	£0.00	15,657	28	-0
Greenfields Community Primary	51.63	£606.77	£31,327.57	£44.56	£2,300.64	0.00	£2,033.55	£0.00	£44.56	£0.00	29,027	85	-33
Southglade Primary School	24.50	£606.77	£14,865.87	£44.56	£1,091.72	0.00	£2,033.55	£0.00	£44.56	£0.00	13,774	33	-8
Westglade Primary School	24.55	£606.77	£14,895.78	£44.56	£1,093.92	0.00	£2,033.55	£0.00	£44.56	£0.00	13,802	24	-1
Henry Whipple Primary School	35.12	£606.77	£21,308.33	£44.56	£1,564.84	0.00	£2,033.55	£0.00	£44.56	£0.00	19,743	41	-5
Robin Hood Primary School	23.42	£606.77	£14,208.96	£44.56	£1,043.48	0.00	£2,033.55	£0.00	£44.56	£0.00	13,165	25	-2
Rufford Primary and Nursery	17.87	£606.77	£10,842.45	£44.56	£796.25	0.00	£2,033.55	£0.00	£44.56	£0.00	10,046	15	-3
ELLIS GUILFORD	0.00	£606.77	£0.00	£44.56	£0.00	73.00	£2,033.55	£148,449.15	£44.56	£3,252.88	145,196	175	-98

This page is intentionally left blank

School Name	Phase	Primary Units			Secondary Units			Total EAL per school
		EAL 3 Primary Units	Funding Allocated through the local funding formula 2017/18		EAL 3 Secondary Units	Funding Allocated through the local funding formula 2017/18		
			Rate per EAL3 pupil	Total EAL Primary £		Rate per EAL3 pupil	Total EAL Secondary £	
		2,967.54		£1,800,615.00	739.12		£1,503,032.21	3,303,647
AMBLESIDE PRIMARY SCHOOL	Primary	59.64	£606.77	£36,189.25		£2,033.55		36,189
St. Augustines Voluntary Academy	Primary	108.62	£606.77	£65,904.73		£2,033.55		65,905
Windmill L.E.A.D. Academy	Primary	178.57	£606.77	£108,349.25		£2,033.55		108,349
Firbeck Academy	Primary	26.83	£606.77	£16,279.64		£2,033.55		16,280
Highbank Primary School	Primary	9.14	£606.77	£5,547.61		£2,033.55		5,548
Glenbrook Primary	Primary	33.45	£606.77	£20,297.26		£2,033.55		20,297
Portland School	Primary	42.99	£606.77	£26,083.53		£2,033.55		26,084
Djanogly Strelley Academy	Primary	44.59	£606.77	£27,054.49		£2,033.55		27,054
Jubilee LEAD Academy	Primary	37.72	£606.77	£22,890.00		£2,033.55		22,890
Rosslin Park Primary School	Primary	89.91	£606.77	£54,556.54		£2,033.55		54,557
Brocklewood Primary School	Primary	77.44	£606.77	£46,987.02		£2,033.55		46,987
Victoria Primary School	Primary	61.07	£606.77	£37,056.31		£2,033.55		37,056
Edna G Olds Academy	Primary	84.02	£606.77	£50,983.04		£2,033.55		50,983
HOGARTH ACADEMY	Primary	27.04	£606.77	£16,404.08		£2,033.55		16,404
Djanogly Northgate Academy	Primary	232.91	£606.77	£141,322.80		£2,033.55		141,323
BURFORD PRIMARY & NURSERY	Primary	13.96	£606.77	£8,467.51		£2,033.55		8,468
Radford Primary School	Primary	82.51	£606.77	£50,067.00		£2,033.55		50,067
Edale Rise Primary and Nursery	Primary	76.21	£606.77	£46,240.06		£2,033.55		46,240
Southwark Primary School	Primary	38.49	£606.77	£23,354.48		£2,033.55		23,354
Whitemoor Academy	Primary	92.74	£606.77	£56,271.32		£2,033.55		56,271
OLD BASFORD SCHOOL	Primary	50.17	£606.77	£30,439.63		£2,033.55		30,440
BLUE BELL HILL PRIMARY SCHOOL	Primary	58.75	£606.77	£35,645.53		£2,033.55		35,646
Warren Primary Academy	Primary	1.16	£606.77	£705.70		£2,033.55		706
Milford Academy	Primary	16.74	£606.77	£10,154.36		£2,033.55		10,154
THE GLAPTON ACADEMY	Primary	16.41	£606.77	£9,959.40		£2,033.55		9,959
Huntingdon Academy	Primary	79.40	£606.77	£48,179.05		£2,033.55		48,179
Bulwell St Mary's Primary and Nursery School	Primary	15.61	£606.77	£9,471.19		£2,033.55		9,471
Sneinton St Stephen's C of E Aided Primary S	Primary	50.21	£606.77	£30,463.92		£2,033.55		30,464
St. Mary's Catholic Academy	Primary	53.75	£606.77	£32,615.59		£2,033.55		32,616
St Patricks Catholic Primary VA	Primary	35.81	£606.77	£21,726.91		£2,033.55		21,727
St. Teresa's Catholic Voluntary Academy	Primary	75.80	£606.77	£45,995.18		£2,033.55		45,995
Our Lady Of Perpetual Succour	Primary	45.39	£606.77	£27,543.38		£2,033.55		27,543
Blessed Robert Widmerpool Catholic Volun	Primary	40.99	£606.77	£24,871.08		£2,033.55		24,871
OUR LADY & ST EDWARD'S R.C. PR	Primary	69.41	£606.77	£42,113.12		£2,033.55		42,113
St Margaret Clitherow Voluntary Academy	Primary	82.54	£606.77	£50,084.83		£2,033.55		50,085
Sycamore Academy	Primary	124.92	£606.77	£75,799.10		£2,033.55		75,799
St. Ann's Well Academy	Primary	33.89	£606.77	£20,562.00		£2,033.55		20,562
Nottingham Girls' Academy	Secondary		£606.77		101.00	£2,033.55	£205,388.55	205,389
Top Valley Academy	Secondary		£606.77		16.00	£2,033.55	£32,536.80	32,537
BLUECOAT BEECHDALE ACADEMY	Secondary		£606.77		65.00	£2,033.55	£132,180.75	132,181
Nottingham University Academy of Science an	Secondary		£606.77		7.00	£2,033.55	£14,234.85	14,235
The Farnborough Academy	Secondary		£606.77		16.00	£2,033.55	£32,536.80	32,537
The Oakwood Academy	Secondary		£606.77		9.00	£2,033.55	£18,301.95	18,302
Nottingham Free School	Secondary		£606.77		7.25	£2,033.55	£14,743.24	14,743
THE FERNWOOD SCHOOL	Secondary		£606.77		20.28	£2,033.55	£41,238.13	41,238
The Nottingham Emmanuel School	Secondary		£606.77		63.38	£2,033.55	£128,882.64	128,883
The Trinity School	Secondary		£606.77		20.00	£2,033.55	£40,671.00	40,671
Djanogly City Academy	Secondary		£606.77		177.00	£2,033.55	£359,938.35	359,938
Nottingham University Samworth Academy	Secondary		£606.77		29.29	£2,033.55	£59,562.68	59,563
The Bulwell Academy	Secondary		£606.77		19.65	£2,033.55	£39,959.26	39,959
BLUECOAT ACADEMY	All-through	62.88	£606.77	£38,153.70	48.03	£2,033.55	£97,671.41	135,825
Nottingham Academy	All-through	192.15	£606.77	£116,590.86	140.24	£2,033.55	£285,185.81	401,777
Springfield Academy	Primary	15.67	£606.77	£9,507.40		£2,033.55		9,507

Information from October 2016 Census					
Primary/Secondary Units					
Believed Other	Other	Not Obtained	Total EAL as per Oct Census	Variance	
137	6,982	31	7,150	-	3,275
-	75	-	75	-	15
-	159	-	159	-	50
-	243	-	243	-	64
-	35	1	36	-	8
-	5	-	5	-	4
-	37	-	37	-	4
-	54	-	54	-	11
-	61	2	63	-	16
-	43	-	43	-	5
1	87	-	88	-	3
-	72	-	72	-	5
42	22	-	64	-	39
-	108	1	109	-	24
-	30	-	30	-	3
3	157	-	160	-	76
-	22	-	22	-	8
-	110	-	110	-	27
2	113	1	116	-	37
-	62	-	62	-	24
-	138	3	141	-	45
-	68	-	68	-	18
-	92	1	93	-	33
-	3	-	3	-	2
-	15	-	15	-	2
8	3	-	11	-	13
-	81	-	81	-	2
-	17	-	17	-	1
-	83	-	83	-	33
-	83	-	83	-	29
-	76	-	76	-	40
-	139	-	139	-	63
-	58	-	58	-	13
1	60	-	61	-	19
-	90	-	90	-	21
-	120	2	122	-	37
-	120	-	120	-	5
-	51	-	51	-	17
-	322	-	322	-	221
-	64	-	64	-	48
-	138	1	139	-	73
9	7	-	16	-	-
2	33	-	35	-	17
-	31	-	31	-	22
18	9	-	27	-	2
4	304	8	316	-	284
-	163	-	163	-	100
-	282	-	282	-	262
2	499	1	502	-	322
34	51	2	87	-	22
1	60	-	61	-	40
6	689	7	702	-	578
4	911	1	916	-	579
-	23	-	23	-	7

Robert Shaw Primary and Nursery School	Primary	163.46	£606.77	£99,184.86		£2,033.55	
William Booth Primary and Nursery School	Primary	61.68	£606.77	£37,424.58		£2,033.55	
Scotholme Primary and Nursery School	Primary	179.16	£606.77	£108,709.26		£2,033.55	
Whitegate Primary School	Primary	13.28	£606.77	£8,059.31		£2,033.55	
Stanstead Nursery and Primary School	Primary	10.46	£606.77	£6,349.15		£2,033.55	

99,185
37,425
108,709
8,059
6,349

-	236	-	236	-	73
-	77	-	77	-	15
-	271	-	271	-	92
-	9	-	9	-	4
-	11	-	11	-	1

Appendix 2

	School		De-delegation	Offer
	Cantrell Primary Melbury Primary Haydn Primary Hempshill Hall Primary Glade Hill Primary Snape Wood Primary	South Wilford Southglade Primary Westglade Primary Robin Hood Primary Rufford Primary	Below £1 100	<ul style="list-style-type: none"> • Named IDEAL Consultant for ongoing advice/support • Free attendance at EAL network meetings x 3 • Equivalent 1 day free bespoke Consultant support
	Seely Primary Bentinck Primary Middleton Primary Heathfield Primary Walter Halls Primary	Southwold Primary Welbeck Primary Mellers Primary Greenfields Community Primary	Between £2 300 - £4 700	<ul style="list-style-type: none"> • Named IDEAL Consultant for ongoing advice/support • Free attendance at EAL network meetings x 3 • Equivalent 1 day free bespoke Consultant support • 2 free places at annual conference • 1 free place at all 9 annual CPD sessions
	Berridge Primary Fernwood Primary Dunkirk Primary	Claremont Primary Forest Fields Primary	Above £6 700	<ul style="list-style-type: none"> • Named IDEAL Consultant for ongoing advice/support • Free attendance at EAL network meetings x 3 • Equivalent 2 days free bespoke Consultant support • 2 free places at annual conference • 1 free place at all 9 annual CPD x2

	<p>Carrington Primary Rise Park Primary Crabtree Farm Primary Dovecote Primary Henry Whipple Primary</p>	<p>Between £1 200 - £1 700 (personalised)</p> <p>Carrington</p> <ul style="list-style-type: none"> • Named IDEAL Consultant for ongoing advice/support • Free attendance at EAL network meetings x 3 • Equivalent 1 day free bespoke Consultant support • 1 free place at annual conference • 1 free place at 5 annual CPD sessions <p>Rise Park</p> <ul style="list-style-type: none"> • Named IDEAL Consultant for ongoing advice/support • Free attendance at EAL network meetings x 3 • Equivalent 1 day free bespoke Consultant support • 1 free place at annual conference 	<p>Crabtree Farm</p> <ul style="list-style-type: none"> • Named IDEAL Consultant for ongoing advice/support • Free attendance at EAL network meetings x 3 • Equivalent 1 day free bespoke Consultant support • 1 free place at annual conference • 1 free place at 2 annual CPD sessions <p>Dovecote</p> <ul style="list-style-type: none"> • Named IDEAL Consultant for ongoing advice/support • Free attendance at EAL network meetings x 3 • Equivalent 1 day free bespoke Consultant support • 1 free place at annual conference • 1 free place at 1 annual CPD session <p>Henry Whipple</p> <ul style="list-style-type: none"> • Named IDEAL Consultant for ongoing advice/support • Free attendance at EAL network meetings x 3 • Equivalent 1 day free bespoke Consultant support • 1 free place at annual conference • 1 free place at 4 annual CPD sessions
--	--	---	---

EAL funding for schools

The following guidance explains this funding and how to receive it. It is available for more pupils than many schools realise and the following information is designed to inform the school census process and ensure schools are able to access the correct levels of funding to support their pupils and help to narrow the attainment gap.

In England, funding for EAL learners under the Ethnic Minority Achievement Grant (EMAG) ceased in 2012. However money given to local authorities through the Schools Block units of funding is now calculated on the basis of a number of pupil characteristics or factors. These include an EAL factor which is designed to support EAL learners for the first three years of their education in the UK.

In Nottingham City, funding rates are: **Primary £636.02 / Secondary £2 028.00 per pupil**

This funding applies to pupils with EAL who entered the English state school system in the past three years.

DfE (July 2014): Fairer schools funding: arrangements for 2015 to 2016 - DfE Fairer Funding

Each local authority passes on this funding to individual schools according to a locally determined formula.

What information is used to establish that a pupil is EAL?

Funding is triggered when a child is registered as EAL in the October Census. This happens when their first language code is given as a language other than English. For the first 3 years after an EAL child is allocated with their UPN number, this child is eligible to funding. The funding follows the child.

Many bi-lingual pupils therefore miss out on funding because schools give English as their first language instead of the language used at home or with a parent/parents or family. Schools can use their discretion when entering this information if it is difficult to ascertain this with pupils' parents.

How do we know if a child is EAL?

Below are official definitions of EAL by the DfE and Ofsted, accompanied by our guidance as to interpret them. If you consider a child to be EAL, then you must record their first language code on the school census

EAL - The Department for Education definition

A pupil's first language is defined as "any language other than English that a child was exposed to during early development and continues to be exposed to in the home or community. If a child was exposed to more than one language (which may include English) during early development, a language other than English should be recorded, irrespective of the child's proficiency in English".

For almost all EAL learners, this means that if they are an EAL learner when they start school at 3-5 years old, they will be an EAL learner throughout their education.

EAL - The Ofsted definition

English as an additional language (EAL) refers to learners whose first language is not English.

These definitions therefore cover the following:

- Pupils arriving from other countries and whose first language is not English
- Pupils who have lived in the UK for a long time and may appear to be fluent, but who also speak another language at home. These pupils are often not entirely fluent in terms of their literacy levels.
- Pupils who have been born in the UK, but for whom the home language is not English
- Pupils who have a parent who speaks a language other than English and the child communicates with in that language (ie. bilingual children)

It is important therefore to recognise that:

- Children who have British citizenship can still be EAL.
- If parents write on their child's admission form that the child speaks English as a first language, when it is clear that one or both of these parents is a speaker of another language, the child is very likely in fact to be EAL, and it will be necessary to check this.
- Accurate and robust data collection during admission is essential

When is the funding paid?

Funding for a child picked up in the October census is paid to the school in the following April. If a child enters the school after the October census date, then their funding will be allocated the April after the next October census. However, the funding will still continue for 3 years.

Funding is available for children in Year 1 to 11. If a child is entered as EAL in Reception, then the funding will start in the April of Year 1 and continue for 3 years.

Pupils learning EAL may also be eligible for the pupil premium of course and other sources of funding. This additional funding can also be used to support the language development needs of these pupils.



SCHOOLS FORUM – 7 DECEMBER 2017

Title of paper:	Early Years Central Expenditure 2018/19
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children and Adults
Report author(s) and contact details:	Kathryn Bouchlaghem, Early Years Service Manager
Other colleagues who have provided input:	Kathryn Stevenson, Senior Commercial Business Partner (Schools)
Summary	
<p>New national Early Years (EY) funding arrangements were implemented from April 2017 including a new national formula for allocating the EY block to Local Authorities and new regulations around the distribution of funding to providers.</p> <p>This paper requests approval of the Early Years central expenditure budget for 2018/19.</p>	
Recommendation(s): For Schools Forum to;	
1	Approve Early Years Central Expenditure of £0.961m for 2018/19, subject to this meeting the high pass-through requirement.
2	Note the creation of a £0.100m SEN inclusion Fund within the Early Years budget for 2018/19, as required in statutory Guidance for LA Early Education.

1 REASONS FOR RECOMMENDATIONS

- 1.1 The revised national arrangements from April 2017 introduced new regulations around the proportion of EY funding that can be retained for central spend. This was in order to ensure a high pass-through of funding to providers (93% in 2017/18 and **95% in 2018/19**). This has required us to reduce planned EY central expenditure. Approval is subject to compliance with this regulation when the budget is finalised.
- 1.2 Under the new arrangements, all LAs were required to introduce an SEN inclusion fund. We consulted all settings over the value and criteria for this in September 2017. Using this information and the evidence gathered during the extended entitlement research project with a SEND focus, it was agreed to develop an integrated process for allocating SEND funding to all children accessing a funded 2, 3 & 4 year old place. This will link into the LA's SEND pathway. It is anticipated this fund will be more effective, with the aim of early identification supporting transition more efficiently from the non-maintained to the maintained sector.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Last year, approved EY Central expenditure was £1.195m. This complied with the 7% limit on retained funding for 2017/18. We anticipate that the proposed £0.961m central expenditure will be within the 5% limit for 2018/19 based on the EY indicative DSG block allocation that we expect to be announced in mid-December.
- 2.2 The funding will enable the Early Years team to carry out the following Local Authority duties under the Childcare Act 2006/Education Act 2014/Children and Families Act 2014:

- Early Years Foundation Stage Profile (EYFSP) moderation (year round process) – city-wide overview of the Private Voluntary and Independent sector (non-maintained) and schools (maintained and academies – GLD has increased and the gap with national decreasing - see current position below)
- Secure sufficient childcare for working parents - this underpins economic growth and stability for employment in Nottingham City
- Secure early years funding free of charge (2, 3 and 4 year olds)
- Moderation of F1 across the sectors with a focus on Communication and Language
- Contribute to the implementation of the Integrated SEND fund

OVERVIEW OF CURRENT POSITION - KEY POINTS

❖ Early Years Foundation Stage Profile Data 2017

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

- 66.2% of pupils in Nottingham were assessed as having reached a 'Good Level of Development in the EYFSP' in 2017. This is an improvement of 2.7 compared to 2016 (63.5%)
- Girls outperform boys in all ELGs, however the gender gap has closed to 12.5 which is now lower than the gender gap nationally (13.7) and an improvement on 2016 (15.2)

Biggest Gaps with National	
Prime:	Specific:
Understanding -3.2	Reading -6.7
Self-confidence and Self-awareness -3.1	Writing -6.0
Managing feelings and behaviour -3.2	Shape, space and measures -6.0
	Being Imaginative -6.4

Ranking

- Nottingham's ranking is 130/151 (2016 – 138/151)
- LA maximum (2017) is 78.9% (Lewisham)
- LA minimum (2017) is 59.8% (Halton)

Statistical Neighbours: Derby, Sandwell, Manchester, Coventry, Birmingham, Wolverhampton, City of Bristol, City of Kingston Upon Hull, Salford, Southampton

Year	Statistical Neighbours %	Nottingham City %	Difference
2014	55.8	46.5	-9.3
2015	61.7	58	-3.7
2016	64.9	63.5	-1.4
2017	66.6	66.2	-0.4

The gap is closing between Nottingham 2017 and its Statistical Neighbours and England, compared to 2016.

Development points

Through our EYFS briefings we will be addressing the areas where the biggest gaps with national are. We will also focus on these areas during Agreement Trialling. Focusing on boys in 2016 may have had an impact on the gender gap

Our EYFS Maths Mastery Project will also help with developing number and shape, space and measure. We also want to continue to focus on improving our Reading and Writing results as this is our biggest gap with national and where the biggest gender gap occurs.

❖ Early Years EYFS CPD training opportunities programme

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

2016 - 2017 Financial Year:		
Sector	Number of courses	Attendance
Maintained schools and academies	41	590
PVI Day Nurseries, Pre-schools and childminders	99	1028
Generic Courses (e.g. Paediatric First Aid, Food Safety)	15	416
Early Years Annual Conference and Annual business meeting	2	223
Total: Financial Year 2016 - 2017	157	2,257

April 2017 – to September 2017:		
Sector	Number of course	Attendance
Maintained schools and academies	11	312
PVI Day Nurseries, Pre-schools and childminders	27	552
Generic Courses (e.g. Paediatric First Aid and Food Safety)	8	166
Total: April – Sept 2017	46	1,030

❖ Sufficiency Duty

Funded age range	Sector	Number of Children	Percentage of all funded children that term
3 & 4 year old provision	Schools	6,037	77.8%
	PVI	1,723	22.2%
2 year old provision	Schools	130	10%
	PVI	1,189	90%

Above data taken from January 2017 statistical Release (DFE)

- Number of funded 3 & 4 year olds in PVI who transition into city schools (**Awaiting data**)
- NNSTC: currently receiving support to develop provision for under 2's

Schools:		
Two Year provision (separate facility – children from the term after they turn 2 year old)		
School	Registered number of places	Average Capacity
Sycamore Primary	12 (24 sessions)	Mostly full to capacity
Djanogly Sherwood Rise	12 (24 Sessions) Due to expand to 20 FTE	Mostly full to capacity
Milford Academy	8 (16 sessions)	Varies– school admission policy (children from catchment)
Cantrell (opening Jan 2018)	12 morning places to be reviewed once established	

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

Ofsted Gradings: 2017/18 – last updated 1st November 2017

Day Nurseries & Pre schools	Current numbers	Ofsted Grade % overall	
Outstanding	7	9%	87%
Good	63	77%	
Met	1	1%	
New Settings	4	5%	5%
Requires Improvement	6	7%	8%
Inadequate	1	1%	
Total	82	100	

All	Current numbers	Ofsted Grade % overall	
Outstanding	15	5%	75%
Good	162	55%	
Met	44	15%	
New settings	53	18%	18%
Requires Improvement	8	3%	7%
Not met	8	3%	
Inadequate	3	1%	
Total	293	100	

Childminders	Current numbers	Ofsted Grade % overall	
Outstanding	8	4%	71%
Good	99	47%	
Met	43	20%	
Requires Improvement	2	1%	6%
Not met	8	4%	
Inadequate	2	1%	
Not Graded	49	23%	23%
Total	211	100	

Ofsted data	All Early Years Settings		
	National	East Mids	Nottingham City
Outstanding	16%	13%	8%
Good	77%	80%	86%
Requires Improvement	6%	6%	4%
Inadequate	1%	1%	2%

Intended Outcomes

Local authorities **must** have regard to the DfE **Early education and childcare statutory guidance for local authorities** when seeking to discharge their duties and **should not** depart from it unless they have good reason to do so.

The Guidance states that:

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

2.3 As shown in Table 1, to achieve this we have made savings linked to the staffing structure of £0.135m and in addition reduced the contribution required for supporting the implementation of the extended entitlement.

TABLE 1: Breakdown of Central Expenditure Budget £m			
Expenditure Category	2017/18	2018/19	
Early Years Team Salary Budget	0.769	0.634	Enabling statutory functions and support for sufficient 2,3 & 4 year old places.
Recharge for Families Information Service	0.115	0.115	Support the increase of participation and associated outcomes of 2,3 & 4 year old places.
Recharge for Safeguarding Post	0.043	0.043	Responsibility for EY providers across the sectors overseeing quality of safeguarding training.
Direct net non-staffing costs (Inc. 30 hours)	0.219	0.120	Support extended entitlement implementation and enables the provision of income generation.
Overhead costs	0.049	0.049	Loxley House accommodation etc.
TOTAL	1.195	0.961	

2.4 Table 2 shows the revised staffing structure of the Early Years team:

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

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 NONE

4 OUTCOMES/DELIVERABLES

- 4.1 An agreed approach to setting the 2018/19 Early Years budget which meets the regulations, as outlined in the Early education and childcare statutory guidance for local authority's (March 2017)

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

- 5.1 The proposed Early years central expenditure will be funded from allocations for 2, 3 and 4 year olds.
- 5.2 For 3 & 4 year olds, we anticipate that our indicative DSG allocation for 2018/19 will be £18.185m, based on the January 2017 pupil count and the original DfE estimate of pupils eligible for the extended entitlement. On this basis, the 5% limit on retained funding for 3 and 4 year olds will be £0.909m. This proposal assumes a £0.896m retained contribution from 3 and 4 year old funding and should therefore be within the £0.909m limit.
- 5.3 For 2 year olds, we anticipate an indicative DSG allocation for 2018/19 of £3.865m based on the January 2017 pupil count. The planned contribution from 2 year old funding to the central expenditure budget is £0.065m. This represents 1.7% of anticipated 2 year old funding. There is no pass-through requirement for 2 year olds.
- 5.4 Our indicative early years allocation for 2018/19 will be published by the DfE in mid-December. This proposal is subject to this level of central expenditure complying with the regulations based on the final published numbers.
- 5.5 The SEN inclusion fund is for 3 and 4 year olds with emerging SEN needs in all setting types. This funding is distributed to providers through the year and as such does not fall within the retained central expenditure budget. We intend setting aside a budget from 2 year funding in order to be able to provide consistent support for 2-year old pupils with SEN.
- 5.6 Funding for providers will be increased for 2018/19 as a result of the savings in central expenditure and we intend passing this on via an increase to the base rate. The final unit rates for 2018/19 will be shared as part of the overall budget report in January, once we have confirmation of the DSG settlement figures. We anticipate being able to increase the rate for 2 year olds by up to £0.05/hour and the base rate for 3 & 4 years by between £0.05 and £0.10/hour.

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

- 6.1 None.

7 HR ISSUES

- 7.1 None.

8 EQUALITY IMPACT ASSESSMENT

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

- No
An EIA is not required.
Yes

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

9.1

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

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

This page is intentionally left blank

SCHOOLS FORUM – 7 December 2017

Title of paper:	Arrangements for school funding in 2018/19 and 2019/20 and the consultation outcome
Director(s)/ Corporate Director(s):	Alison Michalska, Corporate Director for Children & Adults
Report author(s) and contact details:	Ceri Walters, Head of Commercial Finance, Strategic Finance, ceri.walters@nottinghamcity.gov.uk Tel: 0115 8763132
Other colleagues who have provided input:	Julia Holmes, Senior Commercial Business Partner, Strategic Finance julia.holmes@nottinghamcity.gov.uk Tel: 0115 8763733 Jon Ludford-Thomas, Senior Solicitor, Legal Services jon.ludford-thomas@nottinghamcity.gov.uk Tel: 0115 8764398 Lynn Robinson, HR Business Partner, Children & Adults Tel: 0115 8763605 lynn.robinson@nottinghamcity.gov.uk

Summary

Following the Secretary of State for Education’s September 2017 announcement on the funding arrangements in 2018/19 and 2019/20, Nottingham City Council has decided to distribute funding to individual schools in 2018/19 and 2019/20 in line with the National Funding Formula with a Minimum Funding Guarantee (MFG) up to 0.5% per pupil.

The consultation with Nottingham City schools commenced on the 14 November 2017 via Scene.

The consultation period ended on Friday 24 November 2017 (5pm).

This report collates details of the responses to the consultation with schools for consideration by Schools Forum.

Recommendation(s):	
1	To note the content of the proposed schools funding formula for 2018/19 and 2019/20 in the consultation document (Appendix A).
2	To note the consultation responses received from Nottingham City schools and note the very low response rate.
3	Give feedback on the Local Authority’s recommendation to implement the national funding formula with a minimum funding guarantee of up to 0.5% in the financial year 2018/19.

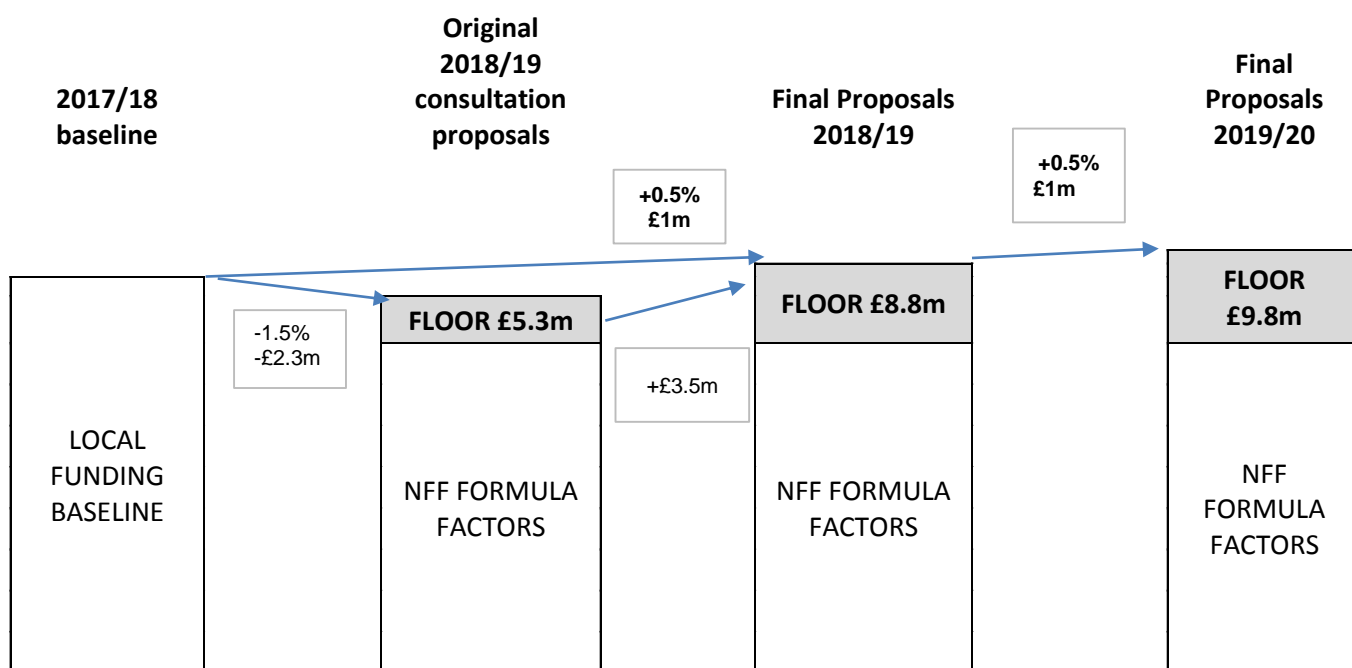
1 REASONS FOR RECOMMENDATIONS

- 1.1 The new national funding formula (NFF) for schools is being implemented from April 2018. The NFF dictates how much funding Local Authorities (LA’s) will receive for

2018/19. However, for 2018/19 and 2019/20 LA's can still decide how to distribute the funding to their schools.

- 1.2 **Nottingham's schools are currently funded at a higher rate in our existing local formula than the new NFF.** However, there is also a funding floor built into the NFF which, under the final proposals, means that no school will see a reduction in funding per pupil. The NFF allocation is based on a per pupil increase of 0.5% in 2018/19 and 1% by 2019/20 compared to the 2017/18 baseline. This is good news for Nottingham's schools, as the original government proposals would have resulted in funding cuts of minus 1.5% per pupil each year.

The diagram below explains the movement of funding allocation through the NFF consultation process.



- 1.3 **The LA's proposed approach for 2018/19 is to move straight to the NFF with a positive minimum funding guarantee (MFG) which will be set as close to +0.5% per pupil as possible (after funding pupil growth, premises, and mobility).**

- 1.4 The **LA are recommending** this approach because:
- It will ensure that schools benefit evenly from the funding increase - this is because all but two schools in the City are likely to have a NFF allocation that is protected by the floor, (with those two schools actually gaining under the NFF to the extent they do not need floor protection).
 - By adopting the NFF from 2018/19, it provides schools with a two-year transition period, which is supported by the funding floor. The protection each school receives will be transparent; this is important to enable schools long term financial planning.

The understanding of the transition period funding will also enable schools to do long-term planning after 2019/20 and identify the necessary savings strategies required to set a balanced budget for 2020/21 onwards.

- c The DfE has stated its preference for LA's to adopt the NFF as soon as possible.

- 1.5 The **alternative would be to retain our local funding formula (LFF)** and increase our existing unit rates to distribute the funding increase that the LA has received.

This option **is not recommended** because:

- a It could potentially mean that only specific groups of pupils would benefit from the additional funding if it were to be targeted at specific factors.
- b It would result in a less even distribution of the funding gains and could even result in some schools seeing a per pupil funding reduction depending on their October 2017 pupil data (e.g. if their FSM numbers dropped significantly).
- c It wouldn't provide schools with the amount of protection they would receive under the NFF until 2019/20. This does not help schools manage the transition to the NFF in 2020/21 when the funding floor may be removed.

- 1.6 The final funding allocation for 2018/19 will be confirmed by the DfE in mid-December 2017.

- 1.7 Whichever methodology is adopted, the value of the schools block funding for 2018/19 and 2019/20 would remain the same and the NFF will be fully implemented by the DfE by 2020/21.

- 1.8 The estimate is that 97.8% of schools will be in receipt of the floor funding from 2018/19, it is the LA's intention to introduce the NFF in the financial year 2018/19. This is so that schools can clearly see how much protection they are receiving, and for all school to be able to receive the benefit of up to 0.5% of the additional funding released by the DfE.

- 1.9 **As there are several elements of the 2018/19 budget, which are still to be finalised, it is the LA's aim to pass on as much of the 0.5% per pupil increase onto schools. However, should there be a shortfall in funding after the NFF has been applied the MFG would need to be adjusted to enable the shortfall to be recouped.**

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 On 14 September 2017 the Secretary of State announced her final decisions for the Schools, Central School Services and High Needs NFFs.

Technical notes and operational guide were published on 28 September 2017.

On 10 October 2017, LA's received detailed reports showing the breakdown of notional Schools NFF allocations at individual school level as if implemented in 2017/18.

- 2.2 Since the original proposals, the government has provided additional funding of £1.3 billion by 2019/20 for the Schools and High Needs NFFs:
- £416m in 2018/19 and
 - A further £884m in 2019/20.

It was announced that the additional funding would be distributed in a way that would enable all schools and local areas to benefit.

- 2.3 In the Schools Block, the extra funding has been allocated to basic per pupil funding and minimum funding levels have been set; these are set out in **Table 1** below:

TABLE 1: MINIMUM AMOUNT PER PUPIL		
	Primary	Secondary
2018/19	£3,300	£4,600
2019/20	£3,500	£4,800

- 2.4 The extra funding has also made it possible to give LA's a minimum percentage increase (a floor) for every school of 0.5% per pupil in 2018/19, rising to a cumulative 1% in 2019/20.

- 2.5 Schools cannot regard the notional allocations to LAs as an accurate prediction of the budget they will actually receive as the notional budgets are based on the October 2016 census and the final allocations will be based on the October 2017 census data.

Each LA also has the discretion, within parameters set by DfE, to decide how to distribute its funding between schools in the local formula, based on the funding received and local priorities influencing the movement from current local formula values. However, it is LA's aim to pass on as much of the 0.5% per pupil increase onto schools.

- 2.8 The Schools Block allocation also contains funding for premises factors (those relevant to Nottingham City are split sites, PFI, BSF and business rates), pupil mobility and pupil growth.

These allocations reflect historic spend, i.e. 2017/18 spending for both 2018/19 and 2019/20, apart from a PFI inflation increase.

If actual costs in the next two years are higher, LAs will need to use some of the 0.5% uplift to make good the shortfall. The DfE is considering whether it is possible to create a formula for the historic spend items in 2019/20 but no progress has yet been made.

- 2.9 The total of NFF school allocations and the historic spend pot will be divided by 2017/18 rolls to produce Schools Block Units of Funding per pupil for primary (£4,481 for Nottingham City) and secondary (£5,869).

These values will be multiplied by October 2017 census data to produce the 2018/19 Schools Block LA allocation. For 2019/20, the unit values will be updated for new pupil characteristics data.

2.10 **Table 2** shows the outcome of the consultation with Nottingham City schools.

TABLE 2: OUTCOME OF THE CONSULTATION		
	Number	Percentage
Agree	3	3%
Disagree	0	-
Do not know	0	-
No response	86	97%
Total	89	100%

Of the 3 schools who responded to the consultation, 1 was a head teacher at a primary school and the other 2 were from school business managers at primary schools.

The following comment was raised during the consultation period.

1. Our Governing body have asked that I respond on their behalf.....' They agree with the proposal, but request that the Local Authority pass all funding on to schools and minimise the funds held back by the Authority.'

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

3.1 The LA has considered three potential options to decide what formula to propose:

- I. To keep the current local funding formula (LFF) and increase the rates to pass on the additional funding allocated to the LA as a result of the additional 0.5% per pupil;
- II. Review and revise all of the funding factors under the local funding formula;
- III. Adopt the NFF so that schools can clearly see how much funding they attract under the NFF and be able to see how much funding they are receiving in protection due to the funding floor.

4 OUTCOMES/DELIVERABLES

4.1 To allocate budgets to schools on a fair and transparent basis before 19 January 2018 which is the deadline for submitting schools budgets for 2018/19 to the Education and Skills Funding Agency.

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

5.1 Nottingham's schools are amongst the highest beneficiaries of the decision to invest additional funding in schools and high needs over the next two years.

- 5.2 It is being used in part to guarantee that the schools block allocation is based on a 0.5% per pupil increase in 2018/19 and by 1% by 2019/20 compared to the 2017/18 baseline funding.
- 5.3 Previously the majority of Nottingham schools were due to receive per pupil funding cuts of minus 1.5% per year.

2018/19 Implications

- 5.4 From an overall schools block perspective, the final proposals provide illustrative allocations now showing:
- A 0.6% (£1.167m) increase to the total schools block for 2018/19; this is compared to the consultation proposals of a 1.2% reduction (£2.384m).
 - This is a shift of 1.8% (c. £3.5m) increase in funding for Schools block based on pupil numbers at a point in time.
- 5.5 The DfE claim that per pupil funding is now being maintained in real terms for the remaining two years of the Spending Review period. However, **schools have seen significant cost pressures** over the last 3 years - the 2015 spending review settlement did not provide for funding per pupil to rise in line with inflation.
- 5.6 The Minister states that for the first time the resources that the Government is investing in our schools will be **based on the individual needs and characteristics of every school in the country.**
- 5.7 The reality is that whilst there are now nationally set funding factors and rates, the final allocations are arrived at after applying complicated calculations around a funding floor, a gains cap and minimum per pupil funding levels.
- 5.8 The funding floor means that **Nottingham's schools will continue to get significantly more than other similar schools nationally that were lower funded in the past.**
- 5.9 Based on the illustrative figures provided by the DfE in October 2017, by **the financial year 2019/20 Nottingham City schools will receive £9.8m (as per the APT) protection as a result of the 1% funding floor.**
- 5.10 From the illustrations provided by the DfE, all but two schools are receiving protection due to the funding floor. The reason why the one primary school and one secondary school are not in receipt of the floor is because they both have a high proportion of pupils eligible for the prior attainment factor. Both of these schools will see increases of more than 0.5% in 2018/19. The primary school will receive an increase of 2.6% per pupil and the secondary school will receive an increase of 1.6% on the adjusted baseline.
- 5.11 Noted below are the projected ranges of protection primary and secondary schools would receive in 2019/20 based on 2017/18 pupil data.

	Number of schools attracting floor protection at this level	
	Primary	Secondary
0-£50k	17	0
£50k-£99k	35	2
£100k-£149k	16	1
£150k-£199k	3	5
£200k-£299k	3	3
£300k-£399k		3
£400k+		1
Total	74	15

As demonstrated by the table above **Nottingham City schools are due to receive significant amounts of funding due to the funding floor.**

On average Nottingham City schools will be attracting **£267 per pupil** extra through the floor, compared to the raw NFF result pre-floor.

- 5.12 As the LA does not currently have access to the final pupil numbers for the setting of the 2018/19 budget and all of the historic funded budgets confirmed for 2018/19 this makes modelling very difficult. Therefore, this is the reason we are consulting on the principle to be adopted in setting schools budgets for 2018/19.

Longer-term implications post 2019/20

- 5.13 In the past, Nottingham has received the **second highest funding per pupil outside of the London authorities** and consequently our schools have amongst the **highest baseline funding per pupil nationally.**

The DfE took LA's formulae as the starting point for the NFF rather than reviewing the weighting of factors to generate a fair distribution.

However, the DfE have built the funding floor as a factor within their NFF - as opposed to presenting it as transitional protection.

The DfE have not confirmed what will happen in relation to the funding floor post 2019/20, this information will be released as part of the next Comprehensive Spending Review.

Julia Holmes
Senior Commercial Business Partner
Strategic Finance – Children & Adults
27 November 2017

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

6.1 Legal Implications

6.1.1 The budgetary framework for the financing of maintained schools is contained in Chapter IV of Part II of the School Standards and Framework Act 1998 ("SSFA"). This chapter of the SSFA includes sections 45 (maintained schools to have budget shares), 45A (determination of specified budgets of a local authority), 45AA (power to require local authorities in England to determine schools budget), 47 (determination of school's budget share) and 47A (the duty on a local authority to establish a schools forum for its area).

6.1.2 Amongst other things, section 45 of the SSFA states:-

(1) For the purposes of the financing of maintained schools by local authorities, every such school shall have, for each funding period, a budget share which is allocated to it by the authority which maintains it.

(1A) In this Chapter "maintained school" means –

- (a) a community, foundation or voluntary school,*
- (b) a community or foundation special school, or*
- (c) a maintained nursery school, or*
- (d) a pupil referral unit in England.*

(1B) In this Chapter "funding period" means a financial year or such other period as may be prescribed.

(2) Sections 45A to 47 have effect for determining the amount of a school's budget share for a funding period.

6.1.3 Section 45A(2) of the SSFA states that for the purposes of Part II of the SSFA, a local authority's "schools budget" for a funding period is the amount appropriated by the authority for meeting all education expenditure by the authority in that period of a class or description prescribed for the purposes of this subsection (which may include expenditure incurred otherwise than in respect of schools). Section 45A(2A) of the SSFA states the amount referred to in subsection (2) includes the amount of any grant which is appropriated, for meeting the expenditure mentioned in that subsection, in accordance with a condition which –

- (a) is imposed under section 16 of the Education Act 2002 (terms on which assistance under section 14 of that Act is given) or any other enactment, and*
- (b) requires that the grant be applied as part of the authority's schools budget for the funding period.*

6.1.4 This means that the designated schools grant (“DSG”), which is paid to local authorities under section 14 of the Education Act 2002 (“EA2002”) essentially on condition imposed by the Secretary of State under section 16 of the EA2002 that it is applied as part of an authority’s schools budget for the funding period, is part of the schools budget. Indeed, the DSG is the main source of income for the schools budget (Education Funding Agency (“EFA”) guidance *Dedicated schools grant Conditions of grant 2017 to 2018* (December 2016), paragraph 2). Local authorities can add to the schools budget from local sources of income (*ibid*, paragraph 4).

6.1.5 Section 45A of the SSFA goes on to state:-

(3) For the purposes of this Part, a local authority's “individual schools budget” for a funding period is the amount remaining after deducting from the authority's schools budget for that period such planned education expenditure by the authority in respect of that period as they may determine should be so deducted in accordance with regulations.

6.1.6 Section 45AA of the SSFA states:-

(1) Regulations may require a local authority in England, not later than the prescribed date, to make an initial determination of their schools budget for a funding period.

(2) The date prescribed for the purposes of subsection (1) may be a date falling up to 48 months before the beginning of the funding period.

(3) Regulations under subsection (1) may—

(a) authorise or require local authorities in England to take account of matters arising after the initial determination of their schools budgets for any funding period but before the beginning of the funding period, by redetermining their schools budgets for the period in accordance with the regulations, and

(b) require notice of any initial determination or revised determination to be given in accordance with the regulations to the governing bodies of schools maintained by the local authority.

6.1.7 For the current funding period (that is, the financial year 2017/2018) the relevant regulations are the School and Early Years Finance (England) Regulations 2017 (SI 2017/44) (“SEYFR”), which came into force on 16 February 2017. Amongst other things, regulation 10 of the SEYFR:-

(1) A local authority must, before the beginning of the funding period and after carrying out any consultation required by regulation 9(2), decide on the formula which it will use to determine the budget shares for schools which it maintains (other than special schools, pupil referral units and nursery schools, and in relation to nursery classes in schools maintained by it).

(2) A local authority must use the formula determined under paragraph (1) in all determinations of school budget shares in respect of the funding period.

(3) A local authority must, before the beginning of the funding period and after carrying out any consultation required by regulation 9(2) or (3), decide on the formula which it will use to determine—

(a) the budget shares for nursery schools maintained by it;

(b) the amounts to be allocated in respect of nursery classes in schools maintained by it;

(c) the amounts to be allocated to relevant early years providers in its area; and

(d) the amounts to be allocated in respect of community early years provision in schools maintained by it.

(4) A local authority must use the formula determined under paragraph (3) when making all the determinations referred to in paragraph (3)(a) to (d) in respect of the funding period.

(5) A local authority may not change its formulae after the funding period has begun.

(6) The formulae must be determined in accordance with Part 3 of these Regulations.

6.1.8 Regulation 9(2) of the SEYFR requires a local authority to *consult its schools forum and schools maintained by it about any proposed changes [to the funding formula which it determined under the predecessor regulations], in relation to the factors and criteria taken into account, and the methods, principles and rules adopted.* Regulation 9(3) of the SEYFR states where a local authority proposes to make changes to the funding formula which it determined under the predecessor regulations *which will affect relevant early years providers in its area, it must also consult those providers in relation to the factors and criteria taken into account, and the methods, principles and rules adopted.*

6.1.9 Whether the SEYFR are to be amended or revoked and replaced for later funding periods is unclear – there are not even any draft regulations currently available. However, since school finance regulations tend to be made annually and, as this report anticipates, the Secretary of State, via the Department for Education, has proposed major changes to school finance, particularly to funding formulae, it is likely that there will be such regulations. For the time being, local authorities have the Executive Summary issued by the Secretary of State entitled *The national formula for schools and high needs* (September 2017) and the Policy document entitled *The national funding formula for schools and high needs* (September 2017), together with the non-statutory guidance issued by the Education & Skills Funding Agency entitled *Schools revenue funding 2018 to 2019* (September 2017). Nottingham City Council (“NCC”) is proposing changes to its funding formula that accord with these documents.

6.1.10 Therefore, having consulted with its maintained schools with broadly favourable results (where there was any response), NCC now needs to consult with the Nottingham City Schools Forum about its proposed changes to its funding formula; hence this report.

Jon Ludford-Thomas
Senior Solicitor
Legal Services
Tel: 0115 8764398
Email: jon.ludford-thomas@nottinghamcity.gov.uk
27 November 2017

7 HR COLLEAGUE COMMENTS

- 7.1 The content of the report is noted. As there are no proposals that directly impact on Nottingham City Council employees, there are no specific HR observations or recommendations on this report. However, it is noted that there is a more positive proposed outcome in terms of funding levels for schools, and as such, there is the potential for a more positive outcome in terms of workforce sustainability and security.

Lynn Robinson
HR Business Partner
Children & Adults
Tel: 0115 8763605
Email: lynn.robinson@nottinghamcity.gov.uk
27 November 2017

8 EQUALITY IMPACT ASSESSMENT

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

No
An EIA is not required

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

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

9.1

10 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

- 10.1 The national funding formula for schools and high needs – Policy document - September 2017
Schools revenue funding 2018 to 2019 – Operational guide – September 2017
Schools Block national funding formula: technical note – September 2017

This page is intentionally left blank

Nottingham City Council

LOCAL CONSULTATION

Proposed schools funding formula for 2018/19

(Primary and Secondary schools)

Launch date: Tuesday 14th November 2017

Closing date: Friday 24th November (5pm)

How to respond:

Consultation response forms are available on the schools extranet at
<http://www.nottinghamschools.org.uk/business-management-support/schools-funding/consultations/>

Completed forms must be saved and then sent **by e-mail** to: school.funding@nottinghamcity.gov.uk
(please include the word "Consultation" in the subject line of your email)

Enquiries relating to submitting the Consultation Response form:

Amanda Parsons
Telephone: 0115 87 64311

Charlotte Dable
Telephone: 0115 87 62719

or email school.funding@nottinghamcity.gov.uk

Enquiries relating to the content of the Consultation Document:

Julia Holmes
Senior Commercial Business Partner
Telephone: 0115 87 63733 or e-mail: julia.holmes@nottinghamcity.gov.uk



Safe, clean, ambitious
Nottingham
A city we're all proud of



Contents

Section	Page
1.0 Executive Summary	3
2.0 Summary of the National Funding Formula reforms	4
3.0 Changes to the funding formula factors under the NFF	5
4.0 Impact on Nottingham City schools	6
5.0 Other options considered in making recommendations	7
6.0 Proposed methodology for the calculation of schools budgets in 2018/19	8
7.0 The Consultation	8

1.0 Executive Summary

The new national funding formula (NFF) for schools is being implemented from April 2018. The NFF dictates how much funding local authorities will receive for 2018/19. However, for 2018/19 and 2019/20 local authorities can still decide how to distribute the funding to their schools. Therefore **this consultation is to seek your views on the formula that we will use to distribute funding to schools 2018/19.**

As you will be aware, Nottingham's schools are currently funded at a higher rate in our existing local formula than the new NFF. However, there is also a funding floor built into the NFF which, under the final proposals, means that no schools will see a reduction in funding per pupil. **The NFF allocation is based on a per pupil increase of 0.5% in 2018/19 and 1% in 2019/20 compared to the 2017/18 baseline.** This is really good news for Nottingham's schools, as the original government proposals would have resulted in funding cuts of minus 1.5% per pupil each year.

Our proposed approach for 2018/19 is to move straight to the NFF with a positive minimum funding guarantee (MFG) which will be set as close to +0.5% per pupil as possible (after funding pupil growth, rates adjustments etc).

We are recommending this approach as it will ensure that **schools benefit evenly from the funding increase.** This is because all but two schools in the City are likely to have a NFF allocation that is protected by the floor, (with those two schools actually gaining under the NFF to the extent they do not need floor protection). Another benefit of this approach is that the protection each school is receiving will be transparent, which we believe is important for schools for your long term financial planning.

The alternative would be to retain our local funding formula (LFF) and increase our existing unit rates to distribute the funding increase that the LA has received. However, this will result in a less even distribution of the funding gains and may even result in some schools seeing a per pupil funding reduction depending on their October 2017 pupil data (e.g. if their FSM numbers dropped significantly). It also wouldn't provide schools with the amount of protection they would receive under the NFF until 2019/20. This does not help schools manage the transition to the NFF in 2020/21 when the funding floor may be removed.

This consultation seeks your view on whether you agree with the above proposed approach for funding Nottingham's schools in 2018/19.

Whichever methodology is adopted for the calculation of schools funding in 2018/19 the total amount to be allocated to the LA will remain the same regardless of which funding formula is adopted.

Action for schools:

Please respond to the question below on the consultation response form by **5pm on Friday 24th November 2017.** Refer to Section 6.0 to see the rationale for adopting the NFF.

Do you agree with the LA's proposed approach to implementing the National Funding Formula with a positive Minimum Funding Guarantee (MFG) of up to 0.5% in the financial year 2018/19?

The consultation response form can be found at:

<http://www.nottinghamschools.org.uk/business-management-support/schools-funding/consultations/>

Your responses will be shared with Schools Forum on 7th December 2017.

The rest of this document contains further detailed information about the new NFF and the impact on Nottingham's schools.

2.0 Summary of the National Funding Formula reforms

On 14 September 2017 the Secretary of State (SOS) for Education released her response to the second stage consultation on the implementation of a NFF for schools. As part of the response to the second stage consultation the SOS released the following key documents:

1. Executive summary - which outlines the Government's response to the second stage consultation, explained their final decisions and how the NFF was going to allocate funding for the next two years;
2. Policy document - which outlines how local authorities will be funded based on the NFF from 2018/19 onwards, but local authorities still have the option to set their funding formula using a LFF or by using the NFF for the financial years 2018/19 and 2019/20. This is known as the "soft" approach. From the financial year 2020/21 all schools will be funded based on the NFF, this is known as the "hard" approach.

Full details of the reforms can be found on the DfE website:

The national funding formula for schools and high needs – Executive summary

The national funding formula for schools and high needs - Policy document

<https://www.gov.uk/government/publications/national-funding-formula-for-schools-and-high-needs>

The structure of the funding system for 2018/19:

- DSG will be allocated in 4 blocks (**Schools Block**, Early Years Block, High Needs Block and Central School Services Block);
- The vast majority of the schools block will be ring-fenced and must be distributed through the local funding formula for schools.

The funding being consulted on in this consultation (schools formula funding) falls within the Schools Block.

On the 17 July 2017 the SOS announced:

- The introduction of the NFF for the 2018/19 allocations of schools and high needs funding to local authorities;
- The introduction of the formula would be supported by an **additional investment of 1.3 billion across 2018/19 and 2019/20**;
- The additional funding would be distributed in a way that would enable all schools and local areas to benefit;
- The additional 1.3 billion has enabled the **funding floor to be increased from minus 1.5% per pupil as was proposed in the first stage consultation to 1% per pupil by 2019/20**.
- **The introduction of a minimum amount per pupil for primary and secondary pupils, £3,300 for primary pupils and £4,600 in 2018/19 and £3,500 for primary pupils and £4,800 for secondary pupils in 2019/20.**
- The **gains cap will be 3% per pupil in 2018-19 and a further 3% per pupil in 2019-20**. For 2019-20, this is an increase over the 2.5% set out in our December 2016 proposals.

As stated in the Executive Summary above, on the 14 September 2017 the SOS released the national funding formula for schools and high needs - Policy document which lay out a full response to the second stage consultation and the details of the final national funding formulae. In October 2017 the DfE released illustrative examples to schools and local authorities showing how much funding schools would attract as a result of the NFF.

Spending plans beyond 2019-20 will be set in a future Spending Review.

It remains the DfE's long-term intention that schools' budgets should be set on the basis of a single, national formula (a 'hard' formula).

The funding that the local authority will receive in the financial year 2018/19 will be based on:

1. The actual funding allocated to primary and secondary schools through the NFF less any implicit growth;
Plus:
2. Historic spend on:
 - 2.1 premises (Business rates, split sites, PFI and BSF) in 2017/18 with the exception of PFI which will be uplifted by RPIX
 - 2.2 Mobility in 2017/18
 - 2.3 Pupil growth in 2017/18.

The final funding allocation for 2018/19 will be confirmed by the DfE in mid-December 2017.

Whichever methodology is adopted for the calculation of schools funding in 2018/19 the total amount to be allocated to the LA will remain the same regardless of which funding formula is adopted.

3.0 Changes to the funding formula factors under the NFF

Under the NFF the majority of factors have remained the same as those used by the LA in 2017/18. However, noted below are the changes that schools need to be aware of as a consequence of the introduction of the NFF:

1. The **rates applied to each factor have in the main reduced significantly**, see Appendix A;
2. An **Area Cost Adjustment (ACA) will be applied to qualifying schools** once the rest of the formula has been calculated. In the illustrative examples released by the ESFA Nottingham City schools received 1.00271 ACA.
3. There is **no Looked After Children Factor** in the NFF – The funding spent through this factor in 2017/18 has been transferred into the Pupil Premium Plus Grant and the rate in 2018/19 has been increased to £2,300 per pupil;
4. There is **no reception uplift in the NFF**, however, they been included in the baseline funding per pupil;
5. Local authorities can use both current free school meals, and Ever6 free school meals measures within their deprivation factors, the NFF uses both).
6. The **difference in the lump sum amount is included in schools baselines**.
7. The Education and Skills Funding Agency (**ESFA**) **will not make a deduction to schools block pupil numbers for high needs places** in mainstream schools.
 - 7.1. Instead, they will determine the school's budget share (or the equivalent academy funding) based on the total number of pupils on roll at the school, including those in the special unit or resourced provision.
 - 7.2. The ESFA have made an adjustment between the high needs block, and schools block, for each local authority to reflect this change.
 - 7.3. The balance of funding for this kind of special provision will come from the place funding decided in accordance with the local authority's commissioning decisions, and the top-up funding for individual pupils.
 - 7.4. The place funding will be £6,000 per place where the place is occupied by pupils on the roll of the school at the time of the October school census return.
 - 7.5. Places not filled by such pupils will still be funded at £10,000.
8. The DfE have not defined a Notional SEN calculation within the NFF.
9. **By introducing the 1% funding floor by 2019/20 this has the effect of ensuring each school receives a 0.5% increase in its funding per pupil in 2018/19 and 2019/20 compared to the baseline.**

4.0 Impact on Nottingham City schools

Nottingham's schools are amongst the highest beneficiaries of the decision to invest additional funding in schools and high needs over the next two years.

It is being used in part to guarantee that the schools block allocation is based on a 0.5% per pupil increase in 2018/19 and by 1% by 2019/20 compared to the 2017/18 baseline funding.

Previously the majority of Nottingham schools were due to receive per pupil funding cuts of minus 1.5% per year.

2018/19 Implications

From an overall schools block perspective, the final proposals provide illustrative allocations now showing:

- A 0.6% (£1.167m) increase to the total schools block for 2018/19; this is compared to the consultation proposals of a 1.2% reduction (£2.384m).
- This is a shift of 1.8% (c. £3.5m) increase in funding for Schools block based on pupil numbers at a point in time.

The DfE claim that per pupil funding is now being maintained in real terms for the remaining two years of the Spending Review period. However, **schools have seen significant cost pressures** over the last 3 years - the 2015 spending review settlement did not provide for funding per pupil to rise in line with inflation.

The Minister states that for the first time the resources that the Government is investing in our schools will be **based on the individual needs and characteristics of every school in the country.**

The reality is that whilst there are now nationally set funding factors and rates, the final allocations are arrived at after applying complicated calculations around a funding floor, a gains cap and minimum per pupil funding levels.

The funding floor means that **Nottingham's schools will continue to get significantly more than other similar schools nationally that were lower funded in the past.**

Based on the illustrative figures provided by the DfE in October 2017, by **the financial year 2019/20 Nottingham City schools will receive £9.8m (as per the APT) protection as a result of the 1% funding floor.**

From the illustrations provided by the DfE, all but two schools are receiving protection due to the funding floor. The reason why the one primary school and one secondary school are not in receipt of the floor is because they both have a high proportion of pupils eligible for the prior attainment factor. Both of these schools will see increases of more than 0.5% in 2018/19. The primary school will receive an increase of 2.6% per pupil and the secondary school will receive an increase of 1.6% on the adjusted baseline.

Noted below are the projected ranges of protection primary and secondary schools would receive in 2019/20 based on 2017/18 pupil data.

	Number of schools attracting floor protection at this level	
	Primary	Secondary
0-£50k	17	0
£50k-£99k	35	2
£100k-£149k	16	1
£150k-£199k	3	5
£200k-£299k	3	3
£300k-£399k		3
£400k+		1
Total	74	15

As demonstrated by the table above **Nottingham City schools are due to receive significant amounts of funding due to the funding floor.**

On average Nottingham City schools will be attracting **£267 per pupil** extra through the floor, compared to the raw NFF result pre-floor.

As the LA does not currently have access to the final pupil numbers for the setting of the 2018/19 budget and all of the historic funded budgets confirmed for 2018/19 this makes modelling very difficult. Therefore, this is the reason we are consulting on the principle to be adopted in setting schools budgets for 2018/19.

Longer-term implications post 2019/20

In the past, Nottingham has received the **second highest funding per pupil outside of the London authorities** and consequently our schools have amongst the **highest baseline funding per pupil nationally.**

The DfE took LA's formulae as the starting point for the NFF rather than reviewing the weighting of factors to generate a fair distribution.

However, the DfE have built the funding floor as a factor within their NFF - as opposed to presenting it as transitional protection.

The DfE have not confirmed what will happen in relation to the funding floor post 2019/20, this information will be released as part of the next Spending Review.

5.0 Other options considered in making recommendations

The LA has considered three potential options to decide what funding formula to propose:

1. To keep the current local funding formula (LFF) and increase the rates to pass on the additional funding allocated to the LA as a result of the additional 0.5% per pupil;
2. Review and revise all of the funding factors under the local funding formula;
3. Adopt the NFF so that schools can clearly see how much funding they attract under the NFF and be able to see how much funding they are receiving in protection due to the funding floor.

6.0 Proposed methodology for the calculation of schools budgets in 2018/19

The NFF will be fully implemented by the DfE by 2020/21. By adopting the NFF in 2018/19 it provides schools with a two year transition period which is supported by the funding floor. The DfE has stated its preference for LA's to adopt the NFF as soon as possible.

As 97.8% of schools are forecast to be in receipt of funding from the floor from 2018/19, it is the **LA's intention to introduce the NFF in the financial year 2018/19**. This is so that schools can **clearly see how much protection they are receiving**, and for **all school to be able to receive the benefit of up to 0.5% of the additional funding released by the DfE**.

By adopting the NFF this will enable schools to do long-term planning after 2019/20. By demonstrating how much protection schools will lose they can then take proactive action to identify the necessary savings strategies to set a balanced budget for 2020/21 onwards.

Not being able to quantify and understand the level of savings protection schools will lose is a big risk to schools.

If the current LFF is used this could potentially mean that only specific groups of pupils would benefit from the additional funding if it were to be targeted at specific factors within the local funding formula which **does not seem fair**.

As there are several elements of the 2018/19 budget which are still to be finalised it is the LA's aim to pass on as much of the 0.5% per pupil increase onto schools. However, should there be a shortfall in funding after the NFF has been applied the MFG would need to be adjusted to enable the shortfall to be recouped.

To enable the LA to pass on any additional funding to schools, if there is funding to be distributed once the NFF has been applied, the LA is required to submit an application to the DfE asking for approval to set a positive Minimum Funding Guarantee (MFG). This is because LA's only have the flexibility to set a local MFG between minus 1.5% and 0% per pupil. Therefore, the LA will be making an application to the DfE to request the approval to increase the MFG up to 0.5% per pupil. The deadline for the submission of the application is 30 November 2017.

7.0 The Consultation

All schools are invited to respond to the consultation by 5pm on Friday 24 November 2017. This document and a response form can be found at:

<http://www.nottinghamschools.org.uk/business-management-support/schools-funding/consultations/>

Head teachers are asked to share the consultation contents with their governors and provide a response on behalf of the school.

If you would like to discuss any of the points raised in this consultation please contact Julia Holmes, contact details are on the title page of this document.

APPENDIX A

Comparison of the local funding factor rates to the national funding formula rates

Factor		Per-pupil/school funding under the Local Funding Formula 2017-18.			Per-pupil/school funding under the final National Funding Formula. NB These exclude area cost adjustment funding.			Variance between the LFF rates in 2017/18 compared to the NFF rates before the funding floor has been applied		
		Primary	Secondary		Primary	Secondary		Primary	Secondary	
Basic per pupil funding		KS1 & KS2	KS3	KS4	KS1 & KS2	KS3	KS4	KS1 & KS2	KS3	KS4
				£3,123.25	£4,298.40	£5,012.24	£2,747	£3,863	£4,386	-376.25
Deprivation	Current FSM	£1,861.62	£2,577.86		£440	£440				
	Ever6 FSM	-	-		£540	£785				
	IDACI A	£486.45	£486.45		£575	£810		88.55	323.55	
	IDACI B	£370.65	£370.65		£420	£600		49.35	229.35	
	IDACI C	£132.88	£132.88		£390	£560		257.12	427.12	
	IDACI D	£132.88	£132.88		£360	£515		227.12	382.12	
	IDACI E	£132.88	£132.88		£240	£390		107.12	257.12	
	IDACI F	£132.88	£132.88		£200	£290		67.12	157.12	
Low prior attainment		£555.57	£443.15		£1,050	£1,550		494.43	1,106.85	
LAC X March 16		£1,170.87	£1,170.87					-1,170.87	-1,170.87	
English as an additional language		£606.77	£2,033.55		£515	£1,385		-91.77	-648.55	
Mobility (allocated to LA's in new NFF on basis of historic spend)		£93.42	£93.42		Rate to be set once the number of pupils is known in Dec 17. LA's funded based on historical spend in 2017/18			N/A		
Lump Sum		£125,041.35	£125,041.35		£110,000	£110,000		-15,041.35	-15,041.35	
Area Cost Adjustment		-	-	-	1.00271	1.00271				

This page is intentionally left blank

SCHOOLS FORUM WORK PROGRAMME

Title of report	Report or presentation	Author – name, title, telephone number, email address
16 January 2018		
1. Schools Budget Report	Report	Ceri Walters, Head of Commercial Finance Tel: 0115 8764128 Email: ceri.walters@nottinghamcity.gov.uk
2. High Needs Budget Report	Report	Ceri Walters, Head of Commercial Finance Tel: 0115 8764128 Email: ceri.walters@nottinghamcity.gov.uk

Deadlines for submission of reports

Page 111

Date of meeting	Draft reports (10.00 am)	Final reports (10.00 am)
16 January	14 December	5 January
13 February	25 January	5 February
24 April	21 March	9 April
26 June	31 May	11 June

This page is intentionally left blank