

Report to Schools Forum 8th September 2015
From Mark Patton (Assistant Director – Education)

Item 3: Update on Delegated & Centrally Retained Services

1. Introduction

- 1.1 It was agreed at Schools Forum 19th June to provide clarity in respect of the services provided to Schools via centrally retained and de-delegated services.

2. Background

- 2.1 The services provided within these areas have been discussed and reviewed at length by the Task & Finish Group. However Forum members requested a review for the Attendance Team, Inclusions and Vulnerable Pupils services.
- 2.2 Education Services are funded in a variety of ways, from un-ringfenced grants i.e. the Revenue Support Grant (RSG) and the Education Services grant (ESG). The LA also receives specific grant funding for Education via the Dedicated Schools Grant (DSG). The shortfall between the grants received and the total net expenditure of the LA is funded from income from services and Council Tax.
- 2.3 This report provides the detail of services split between Statutory responsibilities and non statutory. In some cases there are grey areas owing to the nature of the service and it is not always possible to differentiate where one stops and the other starts.

3. Review Areas

3.1 Attendance £0.232m – De-delegation

There are a number of statutory functions in relation to school attendance which the LA must deliver. These services are provided by the Attendance Team with support from Legal Services and other support services. These services are shown in Table 1 of **Appendix A**. These services are not funded from De-delegation.

- 3.2 Table 2 of **Appendix A** provides details of those services currently funded from de-delegation. A revised SLA is currently being drafted which will detail the services provided to Schools under de-delegation and optional buybacks. Statutory duties are not included in these services.

3.3 Inclusions & Vulnerable Pupils Funding

For the purposes of this report the two elements have been brought together as the services provided are integral to each other. As described in Para 2.3 it is difficult to clearly define the differentiation between services i.e. a child in need may be looked after and need inclusion support. The funding for these services

are split between centrally retained (£0.097m) Vulnerable Pupils (any child in need) and Inclusions which is de-delegated by schools (£0.067m). Statutory services are delivered outside of this funding stream and are not ESG Funded. Table 1 **Appendix B** provides detail of the statutory services provided by the LA and Table 2 **Appendix B** the non statutory services to schools.

3.4 De-delegated Service

The de-delegated services are shown in **Table 1 below**; the values are subject to the change in census data. Forum Members representing Maintained Schools are required to vote by sector to de-delegate the funding to the LA.

3.5 Academies retain this funding as part of the recoupment calculation and cannot de-delegate back to the LA. However, should they wish to benefit from these services then a separate 'buy-back' agreement will be set up.

Service	Formula	AWPU Primary £	AWPU Secondary £	Deprivation Primary £	Deprivation Secondary £	EAL £
Assessing Free School Meals Eligibility Total £22k	£/FSM6 pupil	n/a	n/a	4.17	4.17	n/a
Ethnic Minority Pupils Total £44k	£/EAL pupil	n/a	n/a	n/a	n/a	210.21
Trade Union facility time Total £32k	£/pupil	2.51	2.51	n/a	n/a	n/a
SIMS Licences Total £66k	£/pupil	5.12	5.12	n/a	n/a	n/a
Behaviour Support Education Psychology £133k	50% £/pupil & 50% £/FSM6 pupil	3.52	7.66	8.45	19.92	n/a
Inclusions Total £67k	50% £/pupil & 50% £/FSM6 pupil	0.42	5.84	1.01	14.97	n/a

School Attendance Total £232k	50% £/pupil & 50% £/FSM6 pupil	5.91	13.64	14.20	34.98	n/a
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3.6 De-delegation has been cash limited at 12/13 levels. However the SIMS costs have increased each year. This has been managed by offsetting under spends within the central schools block. However a permanent solution is required. The costs in 15/16 are estimated to be £46k (maintained schools only) compared to a budget of £41k. It is proposed to increase the per pupil rate to £5.58 per pupil (£5.12 in 15/16) to fund the actual costs.

3.7 There will be an adjustment to the ratio for funding for the Attendance Team to reflect the use by sector during the previous year. Primary: Secondary ratio will be adjusted to 50:50 from 40:60 The rates based on the Oct 14 Census would change to Primary - AWPU £7.38 FSM6 £17.75, (15/16 Primary £5.91, £14.20) Secondary AWPU £11.36 FSM6 £29.15 (15/16 £13.64, £34.98).

3.8. Centrally Retained
The table below details the centrally retained services, these have been cash frozen at 2012/13 levels. Forum Members are required to agree Centrally retained funding

Services	£m
Admissions	0.131
Servicing of Schools Forum	0.035
Combined Budgets: S2L, School meals, Licenses and Vulnerable children	0.518
Capital Expenditure funded from revenue	0.628
Termination of Employment costs (Brierton)	0.031
Total	1.343

4. For consideration

- To note the contents of the report
- To note the increase in license fees Para 3.6
- To note the ratio change for Attendance 3.7
- To consult with representative clusters to delegate services for a period of 2 years and report back with a decision to the next meeting
- Academies to agree to buyback de-delegated services for a period of 2 years and report back with a decision at the next meeting
- To agree the Centrally retained funding for 2016/17 as detailed in para 3.8 at the next meeting

Table 1: Attendance Team – Statutory Duties

Enforce section 7 & 8 Education Act 1996 Ensuring compulsory school aged (5-16) receive a suitable, full time education either by regular attendance at school or otherwise
Failure to secure suitable education or otherwise issue a School Attendance Order Section 437 Education Act 1996
Failure to comply with School Attendance Order Section 443 Education Act 1996.
Failure to regularly attend school or provision provided by school Section 444, 444(1A) and 444ZA Education Act 1996
Issue a code of conduct for Penalty Notices Education Pupil Registration) (England) Regulation 2006, 2007 and 2013.
Issue notices in-line with the protocol and Anti Social Behaviour Act 2003 Section 23 Education Act 1996 Section 444A and 444B
Education & Inspections Act 2006 places a duty on parents to ensure an excluded child is not in public place. Section 105 Education & Inspections Act allows a penalty notice to be issued if a parent is guilty of an offence under Section 103
Legal duty to locate children who are in our area and are not receiving a suitable education under Section 436A Education Act 1996
Apply for Education Supervision Orders Section 447 Education Act 1996 & Section 36 Children Act 1989.
Supervise an Education Supervision Order Section 312,323 & 328 Education Act 1996
Police and Criminal Evidence Act 1984 PACE caution for Higher offence prosecution. 444(1A) Education Act 1996
Duty to investigate Section 47 Children Act 1989
Children Act 2004 Duty to share information for example attend Child Protection Conferences, CIN meeting and Core Group meetings.
Criminal and Justice & Court Services Act 1967 & 2000 provide witness statement.
Crime and Disorder Act 1998 section 8 Applying for Parenting Order and Supervising the subsequent Order
Right to inspect school registers Education (Pupil Registration)(England)Regulations 2006
Child Performance & Employment, duties in relation to Part 2 Child and Young Persons Act 1933, Part 2, Children and Young Persons Act 1963 Children (Performances) Regulations 1968
Respond to parental requests for support in relation to attendance and exclusion.

Table 2: Attendance Team – Non Statutory

Carry out more than one register check in an academic year
Provide a named officer attached to each school.
Identify attendance patterns at 90%
Action and investigate referrals at 90% or below. Including both authorised and unauthorised absence
Action referrals and investigate punctuality concerns where children are marked as an L
Undertake Late Gates
Action referrals within five days of receipt.
Facilitate Attendance Case Conferences and multi agency meetings in school to improve attendance
Undertake Fast Track attendance procedures
Challenge parents for medical verification in relation to medical absences and refer for a school medical.
Daily cover for children left in school Mon to Thursday 3:30 pm to 5:00 pm Friday 3:30 to 4:30 pm
Telephone advice available daily Monday to Thursday 3:30 pm to 5 pm and 3:30 pm to 4:30 pm Friday should a school be unable to contact their allocated officer
Telephone concerns actioned the same day for example undertake home visits or escort.
Investigate Non Statutory School Age Absences with in reception and nursery and undertake home visits
Attend parent meeting for new starters in reception.
Undertake escorts to school
Support vulnerable pupils with bespoke packages enabling them to access school or provision provided.
Take the lead role on CAF completion or support school based staff with the completion of a CAF
Support school staff with data collection,
evidence and preparation for OFSTED meeting
Support requests for data and advice on SIMMS and running reports.
Undertake group work with small numbers of identified pupils where attendance or punctuality concerns are highlighted.
Facilitate meetings and support parents to re-engage with school when perceived issues are preventing them from returning their children to school
Attend assemblies and provide certificates and rewards termly
Annual data analysis which includes data details a full academic year
Attend school led meetings such as attendance panels when attendance is above 90% and all absences maybe authorised
Provide 100% certificates and rewards annually.
Facilitate best practice meeting in relation to cluster groups for home school liaison officers
Review attendance policies and ensure school is compliant with the latest legislation in relation to school attendance and safeguarding pupils on alternative provision.

Table 1: Vulnerable Pupils & Inclusions Statutory Duties

To Support the educational achievement of LAC
Attendance at Personal Education Plan meetings
Completion of Personal Education Plan
Support with the monitoring of attendance and achievement
Provide support and guidance in relation to LAC
LA's statutory duties in relation to exclusions (fixed term and permanent)
Production and dissemination of notes of guidance, offering advice to parents and support and attending exclusion panel meetings.
Monitoring and evaluation of exclusion data
The Statutory Duties in relation to LAC are Section 52 Children Act 1989
Section 22 Children Act 1989 General duty of local authority in relation to children looked after by them. (amended by section 99 of the Children and Families Act 2014)
The Statutory Duties in relation to exclusions are
The Education Act 2002, as amended by the Education Act 2011;
The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012;
The Education and Inspections Act 2006; and
The Education (Provision of Full-Time Education for Excluded Pupils) (England) Regulations 2007.

Table 2: Vulnerable Pupils & Inclusions Non Statutory Duties

Key Inclusion Services
Support and contribute to LA's CPD programme
Provide a co-ordinated approach to tackling issues of bullying and discrimination
Provide support and guidance to school in relation to bullying and discrimination
Provide support and guidance to parents, carers, children and young people in relation to bullying and discrimination
Support with the education inclusion of children and young people who display challenging behaviours
Support schools, parents, carers, pupils and other agencies in the prevention of exclusions
Provide support, advice and information on exclusion procedures to school, parents, carers and pupils
Provide training to school governors
Key Vulnerable Pupils Services
Provide support to schools, parents and pupils in relation to the educational achievement of vulnerable pupils
Provide training to school governors
Monitor, track and support attendance and engagement of children with English as an additional language (EAL)
Support schools and other agencies in relation to the education of children with EAL
Provide educational advice and support to schools and professionals working with children who are subject to Children Protection/ Child in Need/ Edge of Care/ YOS prevention services etc
Support schools to work closely with parents/ carers to meet the needs of vulnerable groups
Provide educational advice, guidance and information in relation to mobile pupils ensuring continuity of education
Support to schools to ensure the promotion of positive behaviour, good attendance and reduced exclusions for all vulnerable learners
Providing support and guidance to schools in relation to children who are removed to be electively home educated