

Report to Schools Forum 1st November 2017
From Mark Patton Assistant Director: Education

Agenda Item 8: Statutory Services provided by the Local Authority

1. Introduction

- 1.1 The local authority provides statutory duties for both maintained schools and academies. This report explains the funding streams for these responsibilities.

2. Background

- 2.1 As part of the introduction of the National Funding Formula, the Education and Skills Funding Agency (ESFA) introduced a Central Schools Services Block (CSSB)
- 2.2 This Block funds local authorities for the statutory duties they hold for both maintained schools and academies which was previously allocated through the *retained duties* element of the Education Services Grant (ESG).
- 2.3 In addition, the local authority carries out statutory duties on behalf of maintained schools only. These duties were previously funded from ESG *general rate*. Last year regulations were amended which allowed local authorities to retain some of their School Block funding to cover these statutory duties.

3. Central Services for Schools: Retained and General Duties

- 3.1 Details on the type of *retained duties* are provided in **Appendix 1** (Column 1) and *general duties* in **Appendix 1** (Column 2).
- 3.2 For retained duties an indicative amount of £0.216m has been included in the CSSB baseline to cover these duties as the final value will depend on adjusted pupil numbers.
- 3.3 Table 1 below shows the illustrative budget for 2018/19 in respect of the services provided by the LA, which the ESFA have identified as permissible statutory expenditure and the funding streams for this expenditure.

Table 1: 2018/19 Illustrative Budget			
Description	Gross Expenditure	Gross Income	Net Expenditure
	£	£	£
Central support services	460,867	(455,230)	5,637
Education welfare service	234,312	(94,099)	140,213
Asset management - education	142,373	-	142,373
Statutory/ Regulatory duties - education	986,265	(116,045)	870,220
Premature retirement cost/ Redundancy costs (new provisions)	-	-	-
Monitoring national curriculum assessment	52,855	-	52,855
Total Net Expenditure	1,876,672	(665,374)	1,211,298
Funding			
Retained Funding - all schools CSSB			(216,408)
General Rate Funding - maintained schools			(444,300)
Local Authority Funding			(550,590)
Total Funding			(1,211,298)

- 3.4 Schools Forum is required to agree the retained duties (all School Forum Members) and the general duties (maintained school members only).
- 3.5 To support the decision making process the LA is required to provide spending to at least the level of detail provided in the 2018/19 s251 budget statement. This statement has not yet been published by the ESFA. Therefore, the local authority has provided the information using the 2017/18 s251 budget format, as no significant changes in the format are anticipated.
- 3.6 The LA does not set or manage its budget for these services on the basis of the s251 Statement. Therefore, in order to comply with these requirements the total spend under each heading has been proportionally split by net budget. This is the format the LA provided in its 2017/18 disapplication request to the Secretary of State, which was subsequently approved. Table 2 below provides the detail:

Table 2: Illustrative s251 Budget Statement			
Description	Gross	Income	Net
	£	£	£
1.5.1 Education welfare service	52,504	0	52,504
1.5.2 Asset management	33,118	0	33,118
1.5.3 Statutory/ Regulatory duties	130,786	0	130,786
Retained Duties	216,408	0	216,408
1.6.1 Central support services	457,823	455,230	2,593
1.6.2 Education welfare service	84,576	0	84,576
1.6.3 Asset Management	50,824	0	50,824
1.6.4 Statutory/ Regulatory duties	281,719	0	281,719
1.6.5 Premature retirement cost/ Redundancy costs (new provisions)	0	0	0
1.6.6 Monitoring national curriculum assessment	24,588	0	24,588
General Rate Duties	899,530	455,230	444,300
2.0.1 Central support services	3,044	0	3,044
2.0.2 Education welfare service	97,234	94,099	3,135
2.0.4 Asset management - education	58,430	0	58,430
2.0.5 Statutory/ Regulatory duties - education	573,759	116,045	457,714
2.0.6 Premature retirement cost/ Redundancy costs (new provisions)	0	0	0
2.0.7 Monitoring national curriculum assessment	28,267	0	28,267
Local Authority Funded Duties	760,734	210,144	550,590
GRAND TOTAL OF DUTIES	1,876,672	665,375	1,211,298

- 3.7 In addition we have provided, for comparative purposes, the 2016/17 s251 Outturn Statement information. However, in 2016/17 the ESG grant included funding for the Schools Improvement Service and Therapies Service which have since been removed from the funding stream. The detail is contained below in Table 3:

Table 3: 2016/17 Outturn		Gross	Income	Net
	£	£	£	
2.0.1 Therapies and other health related services	5,380	0	5,380	
2.0.3 Education welfare services	159,269	38,541	120,728	
2.0.4 School improvement	688,075	467,404	220,671	
2.0.5 Asset management - education	181,340	32,853	148,487	
2.0.6 Statutory/ Regulatory duties - education	1,124,041	169,180	954,861	
2.0.7 Premature retirement cost/ Redundancy costs (new provisions)	0	0	0	
2.0.8 Monitoring national curriculum assessment	57,796	0	57,796	
Total Net Expenditure	2,215,901	707,978	1,507,923	
Funding				
ESG Retained Funding			(216,491)	
ESG General Funding			(665,380)	
Local Authority Funding			(626,052)	
Total Funding			(1,507,923)	

3.8 Retained Duties

Additional funding has been transferred into the CSSB to cover the retained duties element of the above. This is paid at £15 per pupil totalling £0.216m. Schools Forum is requested to approve the retained element.

3.9 General Rate Duties

In 2017/18 the LA was funded from a transitional grant of £27.50 per pupil for the period April 2017 to August 2017 for general duties. The full year rate was £66.00 per pupil (a rate of £38.50 for the remainder of the financial year) pro rata for the special school and the PRU. However, the LA proposed rates of £35.00 per pupil, 9% lower than the national published rate.

3.10 This rate was not agreed by Schools Forum and the LA made a disapplication request to the Secretary of State on the basis that the local authority could not carry out its full statutory duties and responsibilities without this funding. The LA scrutinised all duties funded from the proposed rates in its responses to the questions posed by the Secretary of State regarding our disapplication request. In carrying out this review the LA had due regard to its duties and responsibilities under the public sector equality duty (PSED) in Section 149 of the Equality Act 2010. The LA believes that the proposed rates would have no adverse impact on the PSED under the Equality Act 2010.

3.11 The Secretary of State responded to our request as follows:

“This request [for disapplication] is fully approved as we have now received full justification that the £35 rate is required for essential services provided to schools. The level of cuts required by a £25 rate would result in the authority being unable to maintain services at the level required by statutory responsibilities.”

- 3.12 The LA has already absorbed a 31.9% cut in ESG funding which supports the services detailed above. The services funded from ESG cut across all departments of the Council and by the very nature of the services are not provided by a single person and are provided by a cross-cutting team of staff with no person contributing 100% of their time to services. These arrangements are designed to provide resilience and continuity of services to our schools. Should this funding not be agreed for 2018/19 then the local authority would not be able to maintain services at the level required by statute.
- 3.13 The LA is again proposing to set rates at a level 9% lower than the 2017/18 ESFA published rates, and to absorb any inflationary pressures. Maintaining the rates at the 2017/18 level demonstrates the LA’s commitment to minimise the financial burden on our schools whilst retaining appropriate funding to discharge our statutory responsibilities. Children’s Services Committee on 12th December 2017 will consider two options in setting the rates for 2018/19:

Option 1 – set the rates as set out in table 4 using the 2017/18 multipliers and rates pro rata

Option 2 – set a single rate of £60 per pupil for all schools (i.e including Springwell and the PRU)

3.14

Table 4:	2017/18 ESFA Published Rates	2018/19 Per Pupil Rate £	% Reduction
Maintained	66.00	60.00	-9%
Special	280.50	255.00	-9%
PRU	247.50	225.00	-9%

- 3.15 The amount to be retained by the LA to fulfil its statutory duties in respect of maintained schools (£444,300) will need to be agreed by the maintained schools Forum Members (primary, secondary, special and PRU). This equates to less than 1.3% of the total maintained schools budgets for 2017/18. In comparison, the national figures for academy ‘top slicing’ is between 3% and 5%. A proportion of this ‘top slicing’ is used to contribute to the cost of statutory duties which transfer from the LA to the academy on conversion.

- 3.16 If the LA and Schools Forum are unable to reach a consensus on the amount to be retained, the matter would then need to be referred to the Secretary of State once again.

4. Recommendations

It is recommended that Schools' Forum:

- 4.1 Note the contents of the report.
- 4.2 Consult those schools that individual members of the Forum represent on the following:
- a. agree the retained element of £15 per pupil (para 3.8) is recommended to Children's Services Committee.

Voting: All Schools Forum members may vote on this recommendation.

- 4.3 Consult those schools that individual members of the Forum represent on the following:
- a. agree option 1: the general rate of £60.00 per pupil for Schools, £255.00 per pupil for Springwell and £225.00 per pupil for the PRU (i.e Table 4) is recommended to Children's Services Committee
OR
 - b. agree option 2: the general rate of £60.00 per pupil for all schools is recommended to Children's Services.

Voting: Maintained Schools' Forum members only, may vote on this recommendation.

These recommendations need to be discussed in order that a vote can take place at Schools Forum on 17th November 2017, in order to inform Children's Services Committee decisions on 12th December 2017.

Appendix 1

Retained & General School Duties

Black text denotes the Responsibility,
Blue text provides additional information of how the LA meets the responsibility
and any additional non statutory services provided under an SLA

Statutory and regulatory duties

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
<ul style="list-style-type: none"> • Director of children's services and personal staff for director (Sch 2, 15a) • Planning for the education service as a whole (Sch 2, 15b) • Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Sch 2, 22) • Authorisation and monitoring of expenditure not met from schools' budget shares (Sch 2, 15c) • Formulation and review of local authority schools funding formula (Sch 2, 15d) • Internal audit and other tasks related to the authority's chief finance officer's responsibilities under Section 151 of LGA 1972 except duties specifically related to maintained schools (Sch 2, 15e) • Consultation costs relating to non-staffing issues (Sch 2, 19) • Plans involving collaboration with other LA services or public or 	<ul style="list-style-type: none"> • Functions of LA related to best value and provision of advice to governing bodies in procuring goods and services (Sch 2, 56) • Budgeting and accounting functions relating to maintained schools (Sch 2, 73) • Functions relating to the financing of maintained schools (Sch 2, 58) • Authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Sch 2, 57) • Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Sch 2, 58) • Internal audit and other tasks related to the authority's chief finance officer's responsibilities under Section 151 of LGA 1972 for maintained schools (Sch 2, 	<p>Provision of individual Schools Budget Pack.</p> <p>Budget Setting Visit.</p> <p>Provision of multi year forecasts.</p> <p>Budget monitoring visits and provision of reports for Governors.</p> <p>Provision of benchmarking data.</p> <p>Advice and guidance regarding capital allocations and accounting treatment.</p> <p>SIMS Finance module support.</p> <p>Provision of a bank account and procurement card for purchases.</p> <p>Management of sales invoicing.</p> <p>Processing of income sheets.</p> <p>Preparation of information for statutory Consistent Financial Reporting returns.</p> <p>Year End procedures.</p> <p>VAT advice, Lease advice.</p>

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
<p>voluntary bodies (Sch 2, 15f)</p> <ul style="list-style-type: none"> • Standing Advisory Committees for Religious Education (SACREs) (Sch 2, 17) • Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Sch 2, 21) 	<p>59)</p> <p>The Local Authority has a statutory responsibility to provide all schools with budget determination allocations each year. For maintained schools the finance team is responsible for Production, consultation and implementation of the Scheme for Financing Schools.</p> <p>Monitoring the schools compliance within the Scheme.</p> <p>In order to ensure that financial information provided by Schools is of the necessary standard for inclusion in the Councils statutory accounts the Local Authority produces and distributes a detailed financial operating handbook to all maintained schools. This manual provides advice and guidance on the requirements of the Scheme for Financing Schools. For example: leasing, contract and procurement rules, VAT regulations and processes, Financial management systems procedures and maintenance and Small Charity accounting requirements</p> <p>Ensuring schools set a balanced budget, this involves reviewing the submission from the Governing Body, checking the correct funding determination has been used, and if not referring this back to the school. This also includes COMFACs.</p> <p>Taking action in accordance with the Scheme for Financing Schools should the School not agree to amend the budget in line with the issued budget determination This includes reporting to the Director of Finance and Policy and Assistant Director of Education.</p> <p>Check and load Schools budget on</p>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>to the Councils FMS system, for incorporation in to the Councils accounts and monitoring reports.</p> <p>Facilitate the deficit recovery process where a School is unable to set a balanced budget.</p> <p>Ensuring the appropriate VAT returns are submitted to HMRC – to reclaim / pay the correct amount of VAT.</p> <p>Closure of accounts and incorporation of schools accounts in to the LA accounts statutory accounts. Liaison with external auditors and any costs in relation to the external audit of the statutory accounts.</p> <p>Production and submission and publication of the S251 Outturn (excludes academies)</p> <p>Ensure all maintained schools complete and Governing Bodies approve the SFVS. The Local Authority then collates the SFVS, review and submit to EFA.</p> <p>Completion and submission of grant certifications. Eg Pupil Premium</p> <p>Payments to the HMRC. eg for NI & Taxation deduction, CIS payments and apprentice levy</p> <p>Implementation of new government initiatives, for example the apprentice levy.</p> <p>The Audit Team carry out maintained school audits to test the compliance with the required legal and legislative framework.</p> <ul style="list-style-type: none"> • Functions made under Section 44 of the 2002 Act (Consistent 	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>Financial Reporting) (Sch 2, 60)</p> <p>The finance team co-ordinate the annual distribution and collation of the CFR return, ensuring it is checked, reconciled and submitted in accordance with the guidance.</p> <ul style="list-style-type: none"> Investigations of employees or potential employees, with or without remuneration to work at or for schools under the direct management of the headteacher or governing body (Sch 2, 61) <p>The HR Team: Investigations of employees, potential employees, paid and non-paid workers, in relation to issues arising from safeguarding checks required by DoE Keeping Children Safe in Education including DBS trace certificates, rejected pre-employment medical assessments, concerns arising from responses from referees, refusal to provide information in relation to gaps in employment history, false records in relation to qualification or professional registration.</p> <ul style="list-style-type: none"> Functions related to local government pensions and administration of teachers' pensions in relation to staff working at maintained schools under the direct management of the headteacher or governing body (Sch 2, 62) <p>Day to day administration of the Teachers Pension Fund and Local Government Pension scheme. This</p>	<ul style="list-style-type: none"> An allocated named senior HR Business Partner Support for all casework including independent investigations, conciliation and management support in negotiations with staff representatives Participation in any formal hearings under disciplinary, grievance, capability, sickness absence and redundancy procedures. Complex issues dealt with at no additional charge

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>includes the monthly deduction, accounting and payment of employee and employers contributions.</p> <p>Compliance with the annual return responsibilities for both the Teachers Pension Fund and Local Government Pension schemes on behalf of maintained schools. This includes the completion, reconciliation and submission of the annual returns. These returns are also required to be independently audited involving significant officer time and external audit costs.</p> <p>Introduction and compliance with Teachers Pension Monthly Data Collection arrangements and obligations.</p> <p>Provision of Local Government Scheme Discretionary Policy / review</p> <p>Approval of decisions made under the above policy</p> <p>Access to Local Authority Internal Dispute Resolution Procedure Adjudicating Officer for Stage 1 appeals against decisions (not relevant to academies)</p> <ul style="list-style-type: none"> Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 2, 75) <p>Should this instance occur the Local Authority would be mindful of its obligations and ensure inappropriate costs were not</p>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>charged to the School.</p> <ul style="list-style-type: none"> • HR duties, including: advice to schools on the management of staff, pay alterations, conditions of service and composition or organisation of staff (Sch 2, 63); determination of conditions of service for non-teaching staff (Sch 2, 64); appointment or dismissal of employee functions (Sch 2, 65) • Consultation costs relating to staffing (Sch 2, 66) <p>Advice to schools on the management of staff through the provision of key HR policies and procedures (excluding those where the governing body has responsibility) and signposting to the relevant policy for individual employee cases</p> <p>Advice to schools on pay alterations through the maintenance of pay scales for various staff groups</p> <p>Advice on conditions of service through the signposting to relevant national / local terms and conditions (sections and paragraphs that apply)</p> <p>Advice on the composition / organisation of staff including the provision of recruitment policy/procedures and managing staffing levels policy/procedures, and signposting to relevant sections and paragraphs</p> <p>Determination of conditions of service for non-teaching staff through negotiation with trade</p>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>unions and maintenance of the Single Status Agreement</p> <p>Appointment or dismissal of employee functions through the provision of appointment letter templates and drafting/sending dismissal letters</p> <ul style="list-style-type: none"> • Compliance with duties under Health and Safety at Work Act (Sch 2, 67) <p>Under health and safety legislation, the Chief Executive and Director of Child and Adult Services are personally responsible for health and safety standards and performance in all schools where the Local Authority is the employer.</p> <p>The Health, Safety & Well Being Team (HSWT) provides the schools with an effective range of professional health and safety services which includes access to competent advice, assistance, guidance, support, training and auditing in terms of health and safety management.</p> <p>To meet this requirement the Chief Executive must appoint competent persons under the Management of Health and Safety at Work Regulations 1999. This person will assist in developing, implementing, auditing and reviewing the health and safety management systems in schools so they may manage the health and safety risks created by activities and comply with the legal requirements.</p> <p>Policies and Procedures This includes development, production, and monitoring of Council wide and school specific</p>	<p>The service also provides a wide range of cost effective well being services including:</p> <ul style="list-style-type: none"> • Access to a full range of occupational health services • Physiotherapy services • Counselling services • Workplace health assessment following

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>health and safety policies and procedures. These documents assist the Chief Executive, Head teacher and Governing Body to meet their statutory responsibilities. The documents establish standards to be achieved and provide relevant forms and templates which can be used to demonstrate compliance.</p> <p>The HSWT provide a monitoring service of the policy on behalf of the Chief Executive to ensure it reflects the standards of health and safety management required by legislation.</p> <p>Advice and Information (including liaison with enforcement agencies)</p> <p>The HSWT provide advice, on health, safety & fire issues as requested.</p> <p>The advisory service includes guidance on:</p> <ul style="list-style-type: none"> the cost effective implementation of health, safety & fire law and the development of safe systems of work and management systems; the development of practical health, safety & fire standards based on results of risk assessments and legal requirements; the development of procedures and strategies for the conduct and review of statutory risk assessments under the Management of Health and Safety at Work Regulations, the Manual Handling Operations Regulations, the Personal Protective Equipment at Work Regulations, COSHH Regulations and The Fire Safety Order <p>Prioritisation, on health and safety grounds, of repairs to buildings, plant and equipment.</p>	<p>Occupational health referral</p> <ul style="list-style-type: none"> • On site training • Pregnant worker assessments • DSE assessment • Additional health and safety inspections

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>Initial fire risk assessment and competent person review as dictated by the initial assessment (3-5 yearly).</p> <p>The HSWT will lead on all interaction with the Health and Safety Executive, Health Protection Agency and Fire Authority.</p> <p>Annual Health & Safety Review</p> <p>The HSWT audits school health and safety performance on an annual basis. The audit involves Opening meeting with the Headteacher or health and safety co-ordinator</p> <p>A desk top review of health and safety records, (Including policy, risk assessments, fire risk assessments, COSHH assessments, training records, relevant minutes of meetings where health and safety is discussed, maintenance records)</p> <p>Safety tour/ inspection of the building and grounds.</p> <p>Closing meeting with the Headteacher and/or health and safety co-ordinator to provide initial feedback and clarify points</p> <p>Written report and action plan</p> <p>The objectives of the audit is to monitor the school health and safety policy, arrangements and standards of compliance, on behalf of the Chief Executive & Governing Body, to provide re-assurance that legislative compliance is being achieved and as such a safe and healthy environment is provided.</p> <p>Incident Investigation and</p>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>reporting to Enforcement Agencies</p> <p>Review of incidents reported via the Metastorm Incident Reporting Portal (schools with access to the HBC network) or via a local safety incident report form (for those with no access to HBC network). Investigation of incidents & reporting to the Health and Safety Executive as required by RIDDOR</p> <p>Annual HSW Schools Training Programme</p> <p>Schools are provided with unlimited access to the Schools HSW Annual Training Programme. This includes H&S training for Headteachers and/or Business Managers; risk assessment training; H&S for maintenance personnel; Asbestos Awareness for Site Asbestos Checking Officers; Fire Warden Training; Managing Maintenance Contractors</p> <p>Generic school risk assessment templates</p> <p>These templates cover typical school based risks which are tailored by school.</p> <p>Termly H&S Newsletter</p> <p>Access to CLEAPSS</p> <p>Access to the information and guidance material published by the Consortium of Local Education Authorities for the Provision of Science Services, including template science risk assessments. CLEAPSS is an advisory service providing support in science and technology for a consortium of local authorities and their schools including establishments for pupils with special needs.</p>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>CLEAPSS covers:</p> <ul style="list-style-type: none"> model risk assessments for science and technology, chemicals, living organisms, equipment, sources of resources, laboratory design, facilities and fittings, technicians and their jobs, D&T facilities and fittings. <p>School Radiation Protection Officer (secondary schools)</p> <p>To comply with the Ionising Radiation Regulations, schools with radiation sources must have access to a radiation protection adviser, a radiation protection officer and a radiation protection supervisor.</p> <p>The HSWT provide school's with access to Radiation Protection Adviser (current provider is CLEAPSS), Radiation Protection Officer (Council Officer)</p> <p>Radiation Protection Guidance containing local rules, emergency contact details, risk assessments, various pro-forma for source accountancy etc.</p> <p>The radiation protection officer's role is to undertake a period inspection and leakage test of radiation sources in the school and</p> <p>Liaise with the HPA and the school based radiation protection supervisor to resolve any local issues</p>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>Schools with radiation sources must appoint a Radiation Protection Supervisor on site to manage the schools radiation sources and liaise with the Radiation Protection Officer (Council Officer). Schools wishing to arrange disposal or movement of radiation sources must contact the Radiation Protection Officer (Council Officer) and seek advice and guidance.</p> <ul style="list-style-type: none"> • Provision of information to or at the request of the Crown relating to schools (Sch 2, 68) <p>Providing information as required</p> <ul style="list-style-type: none"> • School companies (Sch 2, 69) <p>The Local authority will ensure that if required then we would meet our statutory requirements</p> <ul style="list-style-type: none"> • Functions under the Equality Act 2010 (Sch 2, 70) <p>The provision of relevant policies and procedures to avoid discrimination in the workplace. This obligation would be met by the provision of advice or recommendations as a result of any discrimination complaint triggered via the employee grievance process or Employment Tribunal claims.</p> <p>The LA provides advice in respect to characteristics contained in the act, such as sex or disability or with regard to issues regarding provision of community facilities for members of the public. Advice is also provided to schools relating to</p>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>reasonable adjustments needed to comply with the act.</p> <p>The LA will be required to report on the new requirement in respect of the gender pay gap which will include community schools</p> <ul style="list-style-type: none"> Establish and maintaining computer systems, including data storage (Sch 2, 71) <p>In relation to the links between maintained schools and the LA we utilise the following:</p> <p>Anycomms provides a means of securely exchanging files between the LA and schools, provision of a security device to maintain access to corporate network post NGfL , a system for automatic transfer of data between schools/academies and the LA and a system for storing and sharing performance data between schools and the LA</p> <p>The LA chairs and administers the Schools Information Governance Support and the School ICT Strategy Group.</p> <ul style="list-style-type: none"> Appointment of governors and payment of governor expenses (Sch 2, 72) <p>The local authority checks to ensure that schools have the appropriate instrument of government is in place.</p>	

Education welfare

Responsibilities held for all schools	Responsibilities held for maintained schools only
<ul style="list-style-type: none"> Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Sch 2, 20) School attendance (Sch 2, 16) Responsibilities regarding the employment of children (Sch 2, 18) 	<ul style="list-style-type: none"> Inspection of attendance registers (Sch 2, 78)

Asset management

Responsibilities held for all schools	Responsibilities held for maintained schools only	Duties provided under the SLA
<ul style="list-style-type: none"> Management of the LA's capital programme including preparation and review of an asset management plan, and negotiation and management of private finance transactions (Sch 2, 14a) General landlord duties for all buildings owned by the local authority, including those leased to academies (Sch 2, 14b) 	<ul style="list-style-type: none"> General landlord duties for all maintained schools (Sch 2, 76a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have: <ul style="list-style-type: none"> appropriate facilities for pupils and staff (including medical and accommodation) <p>Annual condition surveys are carried out by the Building Design & Construction Team. These surveys record a detailed breakdown of the facilities in each School, identifying the use of each different room. In addition, the survey will identify condition items that require attention on a priority basis together with associated costs. This feeds into the Education Asset Management Plan and assists in the production of an agreed rolling programme of work subject to funding.</p> <p>When Schools wish to carry out work to the School building they complete a Building Improvement Form (BIF). The scheme is vetted and feedback</p>	<ul style="list-style-type: none"> Provision of a full design and build service to clients. Annual review of Asbestos Survey findings to comply with the legislation, including advice and guidance on any findings. Provision of CCTV systems, ranging from small access and intruder alarm systems through to complex single site, multi site and town centre CCTV systems, with off site monitoring, utilising up to date wireless and IP technology. Advice and guidance on the Equality Act and its impact on the way in which all public services are run and on improving the lives of disabled people.

Responsibilities held for all schools	Responsibilities held for maintained schools only	Duties provided under the SLA
	<p>is provided to the School.</p> <p>Provision of professional advice on building related matters at the Schools request. This will include advice on suitability of schemes and use of school buildings</p> <ul style="list-style-type: none"> the ability to sustain appropriate loads <p>All proposed building schemes will include a structural engineer's input as part of the design process. In addition, advice is provided on an ad-hoc basis for any other structural issues identified by the School. As part of the annual condition survey any unusual loads would be identified and listed on the survey for review by the School/ Education department.</p> <ul style="list-style-type: none"> reasonable weather resistance <p>Annual condition surveys carried out by Building Design & Construction Team will identify condition items that require attention on a priority basis together with associated costs. This will assist in the production of an agreed rolling programme of work subject to funding.</p> <ul style="list-style-type: none"> safe escape routes <p>This will be picked up by Health & Safety when undertaking the Fire Risk Assessment (FRA). This will identify any necessary alterations to the building structure or management procedures which will be discussed with the School. See section 1.6.4 item 3</p> <ul style="list-style-type: none"> appropriate acoustic levels <p>A Suitability Survey carried out between Building Design &</p>	

Responsibilities held for all schools	Responsibilities held for maintained schools only	Duties provided under the SLA
	<p>Construction Team and the Education Asset Management Team records the appropriateness of the classroom / room use. Room users are asked to contribute to the survey. Ad hoc guidance is given to Schools when there is a change of use in the room.</p> <p>In addition, all building schemes are designed in accordance with Part E of Bldg Regs. However, any issues identified by the client would be investigated and appropriate design solutions identified.</p> <ul style="list-style-type: none"> • lighting, heating and ventilation which meets the required standards • adequate water supplies and drainage • playing fields of the appropriate standards • General health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc. Act 1974) • Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012) <p>Annual Condition Surveys and the Suitability Surveys assess the items above to ensure that the necessary standards are met. In addition, in relation to Asbestos Management the Local Authority maintains a register of location and type of asbestos which is updated as required.</p>	

Responsibilities held for all schools	Responsibilities held for maintained schools only	Duties provided under the SLA
	Duties and responsibilities in relation to general Health & Safety are covered in Section 1.6.4	

Central support services

Responsibilities held for all schools	Responsibilities held for maintained schools only
<ul style="list-style-type: none"> No functions 	<ul style="list-style-type: none"> Clothing grants (Sch 2, 52) Provision of tuition in music, or on other music-related activities (Sch 2, 53) Visual, creative and performing arts (Sch 2, 54) Outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (Sch 2, 55)

Premature retirement and redundancy

Responsibilities held for all schools	Responsibilities held for maintained schools only
<ul style="list-style-type: none"> No functions 	<ul style="list-style-type: none"> Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 2, 77)

Monitoring national curriculum assessment

Responsibilities held for all schools	Responsibilities held for maintained schools only
<ul style="list-style-type: none"> No functions 	<ul style="list-style-type: none"> Monitoring of National Curriculum assessments (Sch 2, 74) Statutory assessment and moderation Early Years moderation and assessment activities – in line with 2017 EYFS Assessment and Reporting Arrangements statutory guidance; Section 3 and Section 7.4 LA EYFS moderation plan 2017; Attendance at Learn Explore Debates – includes updates on EYFSP, provided by Action for children (appointed by DfE) to disseminate information, share good practice and facilitate discussion and consultation with key LA staff and other key stakeholders STA assessment training (EYFSP)- Attendance at central training events provided by STA for LA personnel for the implementation and delivery of statutory assessments Tees Valley EYFS moderation - meet with colleagues from across the Tees Valley to plan procedures, evaluate moderation process and carry out cross LA moderation and standardisation to ensure consistency of judgements Moderator training/update – training for moderators to ensure all are clear about current developments and understand the moderation process. Includes moderation and standardization EYFSP moderation meetings - provided for school staff for evidence trialling and cross school moderation and standardization Meet the moderator meeting – to ensure selected schools are sufficiently prepared for the moderation visit. EYFSP moderation visits –actual visits to schools to moderate school judgements EYFSP school moderation and QA of data at

Responsibilities held for all schools	Responsibilities held for maintained schools only
	<p>schools' request, visits to schools not selected by LA but who have requested external LA validation</p> <ul style="list-style-type: none"> • Quality Assurance of data at data collection, (includes, review of data, telephone calls to schools and visits if needed) • Moderation admin. • Strategic planning • KS1 and KS2 assessment and moderation activities – in line with STA statutory guidance for schools and local authorities regarding KS1 and KS2 Assessment and Reporting Arrangements 2017; 2017 teacher assessment external moderation key stage 1; 2017 teacher assessment external moderation: key stage 2 writing • STA assessment training (KS1 and KS2: Attendance at central training events provided by STA for LA personnel for the implementation and delivery of statutory assessments • KS1 and KS2 STA Lead moderators training attendance at STA training for LA nominated Lead Moderators • KS2 Lead moderator testing – statutory STA standardisation exercise for LA Lead moderators • KS1 Lead moderator test – Facilitation and adjudication of statutory standardisation exercise for KS1 moderator • Delivery of KS2 moderator training –training for KS2 moderators to ensure all are clear about current developments and understand the moderation process. Includes invigilation of online statutory STA standardisation exercise • School based moderators' attendance at KS2 moderator training • Delivery of KS1 moderator training (LA staff) training for KS1 moderators to ensure all are clear about current developments and

Responsibilities held for all schools	Responsibilities held for maintained schools only
	<p>understand the moderation process. Includes invigilation of written statutory STA standardisation exercise</p> <ul style="list-style-type: none"> • School based moderators' attendance at KS1 moderator training (above) • Assessment of KS1 written statutory STA standardisation exercise • Delivery of KS1 and KS2 SATs training for schools – dissemination of key messages around statutory testing and teacher assessment requirements to teaching staff in Y2 and Y6 • Preparation for all moderator training and sats training – essential preparation time for delivery of all training listed • Prep and delivery of English and mathematics Subject leaders meeting for SATS etc To ensure subject leads are clear about statutory assessment and reporting arrangements for their area of responsibility, and of training programme available to support school staff with the process • KS1 & KS2 moderation activities - (10 schools) • Formulation of Moderation plans • Training for moderation visits • Data checks for moderated schools • Strategic planning (self explanatory – ref KS1 and KS2 LA moderation plans) • Phonics checks - 10% of schools • Test monitoring & Test storage monitoring • KS2 SATS monitoring – 10 % of schools (including storage and package checks)

Therapies

Responsibilities held for all schools	Responsibilities held for maintained schools only
<ul style="list-style-type: none">No functions	<ul style="list-style-type: none">This is now covered in the high needs section of the regulations and does not require schools forum approval

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