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## **SCHOOLS' FORUM**

**Tuesday 24 September 2024 – 3pm**

**Events Hall,  
Hartlepool Centre for Independent Living, Burbank Street**

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### ***A G E N D A***

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|-----|--|------------------|
| 1.  | Apologies  | Chair            |
| 2.  | Minutes from Schools' Forum meeting on 27 June 2024 and Matters Arising                                | Chair            |
| 3.  | Permanently Excluded Pupils (PEXs) (Standing Item)   | Emma Rutherford  |
| 4.  | Confirm new membership of Schools' Forum – verbal update   | Chair            |
| 5.  | Statutory Services Provided by the Local Authority – Report for Action                                 | Amanda Whitehead |
| 6.  | Indicative Schools and Central School Services Block Budgets 2025/26                                   | Amanda Whitehead |
| 7.  | Growth Fund Modelling and High Needs Block Budget Proposals 2025/26 – Report for Decision              | Amanda Whitehead |
| 8.  | High Needs Block (HNB) Projected Outturn 2024/25 – Report for information                              | Amanda Whitehead |
| 9.  | ESFA requirements for Authorities with a DSG (Dedicated School Grant) deficit – Report for information | Amanda Whitehead |
| 10. | Dedicated Schools Grant - Early Years Block Centrally Retained Budget 2025/26 – Report for decision    | Amanda Whitehead |
| 11. | Schools' Capital Sub Group Membership and Terms of Reference review – Report for Action                | Amanda Whitehead |

Date and Time of Next Forum Meeting – Thursday  
15 October 2024 CETL Conference Suite

## Schools' Forum Meeting

**27 June 2024**

### Attendees:

#### **Members**

Mark Tilling (Chair) (Maintained Secondary)  
 Carole Bradley (Academy Primary)  
 Tracey Gibson (Secondary)  
 John Hardy (Academy – Primary)  
 Colette Hogarth (Diocese – RC)  
 Phil Pritchard (Academy – Primary)  
 Toni Ray (Early Years)  
 Louise Robson (Academy Special)  
 Emma Rutherford (Horizon School)  
 Sue Sharpe (Maintained Primary)  
 Chris Simmons (CS) (Academy Trustee)  
 David Turner (Maintained Primary)  
 Vicki Wilson (CoE Diocese)  
 Leanne Yates (Maintained Primary)

#### **Local Authority Officers**

Amanda Whitehead (DW)  
 (Assistant Director, Education)  
 Louise Rainer (LR) (Family  
 Support Worker)  
 Fiona Stobbs (FS) Inclusive  
 Learning and SEND)  
 Danielle Swainston (DS)  
 (Assistant Director, Joint  
 Commissioning Services  
 Jane Watt (JW) (Children's  
 Finance)  
 Jo Stubbs (JS) (Democratic  
 Services Team)

<b>Agenda Item</b>		<b>Action</b>
<b>1</b>	<b>Apologies -</b>  Chris Connor (Maintained Primary) Lisa Grieg (Academy – Special) Linda Richardson (Early Years) Sandra Shears (Local Authority Officer) Lee Walker (Academy Primary) Zoe Westley (Academy – Special) Joanne Wilson (Academy Primary)	
<b>2</b>	<b>Minutes of the Last Meeting – 7 March 2024 – Matters arising</b>  Fiona Stobbs had not been marked as present on the previous minutes – corrected  The list of outstanding actions had been missed off – to be reinstated for future.  Minutes approved with the above correction.  There were no matters arising	
<b>3</b>	<b>Updates to Scheme for Financing Schools</b>	

	<p>Each year ESFA publish changes required to the Scheme for Financing Schools which Local Authorities are required to incorporate into their Scheme and associated documentation in consultation with their maintained schools. JWa outlined the changes to the existing scheme consisting of changes following the introduction of a new international financial reporting standard. This would end the distinction between operating and finance leases for accounting purposes, classing all leases as borrowing requiring the Secretary of State for Education's consent. In practical terms this would make no difference. The Chair queried the impact of leasing a school building from an external company. JWa advised that land leases were not mentioned in the guidance but she would clarify.</p> <p><b>Decision</b></p> <p>That the report be noted and the changes outlined be confirmed in the scheme documentation and published.</p>	<p><b>JWa</b></p> <p><b>JWa</b></p>
<b>4</b>	<p><b>Trade Union Facility Time (Update)</b></p> <p>AW confirmed that during 2024/25 to date, there has been no facility time request made on the budget. The reserve balance relating to Trade Union Facility Time stood at £13,808 as of 31<sup>st</sup> March. At their November 2022 meeting Schools Forum had agreed that future funding of the Dedicated Education Officer (DEO) would be approved automatically so long as there were sufficient reserves. Based on this Hartlepool schools contribution for 2024/25 would continue to be funded through the reserves. Contributions from early years and further education would be charged for 2024/25.</p> <p><b>Decision</b></p> <p>That the report be noted including the assumption that the DEO post would be funded using the reserve balance.</p>	
<b>5</b>	<p><b>In-year School Admissions Support</b></p> <p>The number of requests for in-year admissions had been increasing since 2021 with the number for 2023-24 currently standing at 871 (as of 31<sup>st</sup> May 2024). Reasons for transfer requests included house moves, parental request due to relationship breakdown between home and school, movement into area from the UK and overseas and home educated children moving back into state education. Figures showed that high numbers of children with complex difficulties had been to more than 1 school. There was currently a pot of money set aside to support children with Social, Emotional and Mental Health difficulties. It was proposed that these monies be used to employ 2 Family and Young Person Engagement Officers on an 18 month fixed term contract. They would engage with families wishing to move school mid-term and provide assistance to schools. The total cost would £115,446.</p>	

	<p>Members raised a number of issues relating to this proposal. While most were broadly supportive some felt it was a lot of money given schools were having to let existing staff go. They queried whether these could be term time posts on a reduced rate but it was noted that even holidays were busy in terms of transfer requests. They also felt it was a lot for 2 people to manage and questioned how easy it would be find people willing and able to do this given the skillset they would need. However they also acknowledged that something needed to be done to reduce the amount of in-year transfers.</p> <p><b>Decision</b></p> <p>That the allocation of funding be approved by a majority vote and that a review be carried out at 9 months. This approval subject to an assessment of the feasibility for term time only appointments.</p>	<b>FS</b>
<b>6</b>	<p><b>Dedicated Schools Grant Final Outturn 2023/24</b></p> <p>The report provided an update on the outturn position for the Dedicated Schools Grant (DSG) budgets for the financial year 2023/24. Members were referred to the table included in the report which summarised the DSG actual spend against budget showing a deficit of £1.589m as of 31<sup>st</sup> March. Details of the overall financial position across the 4 blocks in relation to early years, high needs, central school services and schools including growth fund were provided as set out in the report. As there was a deficit the local authority was required to submit a recovery plan to the Department for Education. This was already in progress.</p> <p>Reference was made to the potential of a 20% VAT increase on independent schools should Labour win the election. The Chair queried whether state schools would have the option to reclaim any VAT paid on goods and services in the same way that independent schools have been advised they would be able to. JWa clarified that VAT is not a cost to local authorities.</p> <p><b>Decision</b></p> <p>That the report be noted.</p>	
<b>7.</b>	<p><b>Seeking Support Clusters Terms of Reference</b></p> <p>At the previous Forum meeting members agreed that terms of reference needed to be established for the cluster arrangements ensure full understand of the scope and limitations of the new arrangements. These were subsequently discussed at a High Needs Block Review meeting and the draft terms of reference were appended to the report along with associated paperwork. The terms of reference would be reviewed in December 2024.</p>	

	<p>VW referred to the form requesting additional support – asking whether this was for an individual or a group. FS confirmed it could be used for both. The Chair noted that these issues had been discussed previously and was keen to not go over previous ground.</p> <p><b>Decision</b></p> <p>That the terms of reference as attached be agreed and reviewed in December 2024.</p>	
<b>8.</b>	<p><b>The Horizon School and Alternative Provision 2023/24 Final Outturn</b></p> <p>Members were given details of the projected outturn for 2023/24 for the Horizon School and Alternative Provision (AP services). In 2023/24 the school had utilised £0.019m of reserves giving a total budget of £0.873m. This was based on 28 commissioned places for Horizon and 12 for Haven. Actual pupil numbers had been significantly higher and additional funding of £0.250m had been approved to address this. As at April 2024, 72 pupils had received support at Horizon, 11 at Haven. In 2023/24 there had been an overspend of £0.094m largely owing to school fees relating to alternative provision. Reserves of £0.099m had been used otherwise the overspend would have been £0.193m. This overspend was charged to the High Needs Block. The cost of placements was largely funded through the clawback of AWPU from the excluding school but this is only possible were the pupil was on roll at that school during the latest funding period. Clawback was successful for 61 of the 72 pupils.</p> <p><b>Decision</b></p> <p>That the report be noted</p>	
<b>9.</b>	<p><b>Permanently Excluded Pupils (PEXs)</b></p> <p>The current position for permanent exclusions was set out for members specifically the impact on the anticipated increase of PEXs on the Horizon School and Alternative Provision Budgets and the High needs Block. Funding of £1.511m is available for 2024/25 based on 40 pupils across the provision. This includes AWPU clawback from excluding schools and additional funding of £0.250m approved by Forum. However the number of annual PEXs has risen since 2020 and based on previous numbers is anticipated to reach 69 this year. There are currently 93 students on roll at Horizon/Haven. Estimates suggest that at the current rate there will be 232 pupils on roll in 2026-27. Over the last 4 years an average of 4 pupils per year had returned to mainstream schooling through Fair Access.</p> <p>This had led to increasing overspends against the allocated budget. In 2023/24 the overspend was £0.193m and while this had been offset through reserves this would not be available moving forwards. Work was currently underway to reduce the deficit in the High Needs Block but this increase in PEX could wipe out these savings and reduce SEN budgets.</p>	

	<p>Therefore if numbers did not decrease a request would be made that funding be transferred from the Schools Block to the High Needs Block. This was considered acceptable as schools ultimately made the decision to permanently exclude pupils.</p> <p>ER advised that there were currently 61 pupils on roll. Of those 3 were in the process of returning to mainstream under Fair Access and 3 could possibly do this. As accommodation was only available for 40 a shift system was in operation. She explained the process relating to clawback advising that while eventually all monies were transferred this did not help cover costs.</p> <p>TG highlighted the report reference that the responsibility of permanently excluded children lies with the school. She disputed this as while schools made the decision they were not responsible for the situation which had led to that decision.</p> <p>CS queried whether schools could be asked to pay the full cost of alternative provision for excluded provision however this was not legal. He acknowledged this and the difficulties schools experienced but excluding was passing the problem to someone else who had to deal with it at their own cost. All possible avenues should be considered before PEX and more support and expertise offered to schools. ER confirmed that an enquiry was ongoing looking at case studies of Horizon children and what could have been done differently. A report was expected in September. A number of alternatives to PEX which had worked previously were suggested including moving the child to another school in their cluster.</p> <p>JH commented that children at risk of future PEX could usually be identified at nursery level but there was no mechanism to prevent this. CS agreed saying the incoming Government needed to look after the needs of young people through early intervention. However DT noted none of the manifestos had included this and felt that the only way to improve was through collaboration among parents, schools and partners. CAMHS and social care would be critical.</p> <p>ER confirmed she would update members at every Forum meeting.</p> <p><b>Decision</b></p> <p>That the report be noted.</p>	
<b>10</b>	<p><b>Special Schools Cost Model Proposals AY 2024-25</b></p> <p>In June 2023 Schools Forum had agreed to implement a cost model arrangement for special schools. Year 1 of this arrangement ends in Summer 2024 and cost models for academic year 2024-25 had been submitted. Children's Services Committee had previously agreed to a 3% inflationary increase to special school funding for 2024-25. Each special school had produced an updated cost model based on pupil admissions</p>	

	<p>and expected budgets. Details of the calculations were contained within the report – 4.1% was requested for Springwell and 3.7% for Catcote. In financial terms, this was an additional £0.018m for Springwell and £0.019m for Catcote above the agreed cap.</p> <p>MT referred to an email from the Head of Springwell School in which she expressed her dissatisfaction with a cap of 3%. Her reasons included the increased cost in their catering SLA. She also noted that the overspend for Horizon was considerable but they did not appear to be subject to a cap.</p> <p>Forum acknowledged the reasons for the suggested cap and the fact that there was a deficit of funding in the High Needs Block. However if the cap remained at 3% this would impact the special schools. Forum acknowledged the agreement of a cap by Children's Services Committee, however, Forum reiterated that they did not feel in a position to support the 3% cap. The Chair commented on the robustness of the process to assess the cost model amounts requested against the agreed cap and asked that this process be continued in future years.</p> <p><b>Decision</b></p> <ul style="list-style-type: none"> <li>• Note the contents of the report</li> <li>•</li> </ul>	
11	<p><b>Schools Forum Constitution and Membership</b></p> <p>AW advised members that the Schools Forum constitution had been reviewed based on October 2023 census numbers. This would reduce the number of primary representatives from 4 to 3 and increase academy representatives from 11 to 12. Existing members term of office was due to end in August 2024 and the new representatives must be in place for a maximum 2 year term starting from the next meeting on 24 September 2024. Any new members would be required to attend an induction. The term of office for the Chair was also due to end August 2024 whereupon the Vice-Chair would move to Chair and a new Vice-Chair appointed. The Forum thanked Mark Tilling for his work as Chair over the previous 2 years.</p> <p>Members were informed that this was the final meeting for Danielle Swainston and Chris Simmons. Members expressed their thanks to both.</p> <p><b>Decision</b></p> <ol style="list-style-type: none"> <li>1. That the necessary meetings be convened with head teachers to agree the assignment of schools to each Forum School Representative by 17 September 2024 (1 week prior to the next Forum meeting);</li> <li>2. That Academies appoint a co-ordinator to advise the names, positions and email addresses for each representative and deputy by 17 September 2024 (1 week prior to the next Forum meeting);</li> </ol>	



	<p>3. That maintained schools agree a process for appointing representatives and deputies and advise the local authority by 17 September 2024 (1 week prior to the next Forum meeting);</p> <p>4. That the local authority consult all existing non-school members and their deputies to confirm if they wish to be reappointed for a further 2 years and that nominations be sought for an vacancies and appointments made by 17 September 2024 (1 week prior to the next Forum meeting);</p> <p>5. That the Vice-Chair, Carole Bradley, be appointed as Chair and Tracy Gibson be appointed as Vice-Chair and</p> <p>6. That if required the new Chair arrange an induction programme for any new Forum members.</p>	
<b>12</b>	<b>Date and Time of Next Forum Meeting – 24 September 2024 at 3.00pm at CIL</b>	



## OUTSTANDING ACTIONS LOG

Meeting	Description	Owner
18/10/23	Provide case studies for pupils placed in Independent Schools (SEMH information previously provided)	Danielle Swainston
27/06/24	Assess feasibility of TTO for new School Admission posts	Fiona Stobbs



# Financial Year 2023/24: Children's Services Committee – Log of Schools' Forum Recommendations and Committee Decisions

Last Updated: 5 December 2023

Committee Date	Report	Recommendation and Decision Details
14/11/23	Dedicated Schools Grant (Former Education Services Grant rate per pupil) – Disapplication Request	<p>The Committee:</p> <ul style="list-style-type: none"> <li>a) Agreed the 2024/25 funding rate at £60 per pupil/place.</li> <li>b) Agreed to submit the disapplication request to the Secretary of State to set the Education Services General Duties rate at £60 per pupil/place for 2024/25.</li> <li>c) Noted this will be the eighth consecutive year the local authority has applied for disapplication and that the previous seven applications have been successful.</li> <li>d)</li> </ul>
23/01/24	Dedicated Schools Grant SCHOOL BUDGET SHARES 2024/25 AND CENTRAL SCHOOL SERVICES BLOCK 2024/25	<p>The Committee:</p> <ul style="list-style-type: none"> <li>a) Noted the agreement by Schools' Forum to centrally retain funding of £0.595m, with the residual £0.097m being transferred to the Schools Block as outlined in paragraph 5.5;</li> <li>b) Noted the agreement by Schools' Forum to transfer the 2024/25 growth funding of £0.334m to the High Needs Block as outlined in paragraph 4.2;</li> <li>c) Noted the recommendation by Schools' Forum to allocate the sparsity factor at 100% in line with the NFF as outlined in section 6 of the report;</li> <li>d) Agreed the MFG to be used for 2024/25 as outlined in paragraph 6.1 of the report and noting the recommendation from Schools'</li> </ul>

		<p>Forum of applying an MFG of 0.5%, alongside an appropriate cap which has been calculated at 2.5%;</p> <p>e) Approved the ISB for 2024/25 as summarised in the table at paragraph 6.2 of the report.</p>
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**Report to Hartlepool Schools' Forum 24 September 2024**  
**From Amanda Whitehead (Assistant Director – Education)**

**Item 3: Permanently Excluded Pupils (PEXs)**

**1. Introduction**

- 1.1 The purpose of the report is to set out the current position for Permanent Exclusions (PEXs). The report outlines the impact of the projected increase of PEXs on the Horizon School and Alternative Provision Budgets and subsequently on the High Needs Block in 2024/25 and beyond.

**2. Background**

- 2.1 The local authority has a legal duty to provide all pupils who are permanently excluded with a full time appropriate education from day 6 of the exclusion. This has been provided via the Pupil Referral Unit, The Horizon School, and is funded through a combination of place funding, top up, additional grants and AWPU (Average Weighted Pupil Unit) Clawback.
- 2.2 All PEXs are managed by the Horizon School Executive Head Teacher, with a number of pupils placed in Alternative Provision (AP) where required. AP represents a more costly option than pupils placed in Horizon School.

**3. Funding Available**

- 3.1 Schools Forum previously agreed a cost model for funding Horizon and Haven based on 28 places within Horizon and 12 places within Haven – a total of 40 places.
- 3.2 The impact of rising PEX volumes resulted in an overspend of £0.193m for 2023/24 (before use of school reserves). As the service was under review, Schools' Forum agreed additional funding of £0.250m in 2024/25 as a short-term measure. The current cost model arrangement and capacity for Horizon School is based on 28 pupils (compared to actual places of 67 pupils), making an update to the cost model based on actual places necessary once the future of the service is clarified.

**4. Permanent Exclusions – Current Position**

- 4.1 The numbers of permanent exclusions have risen significantly in recent years.

<b>Academic Year</b>	<b>In-Year PEXs</b>	<b>Fair Access / Reintegrated</b>
2020-21	5	2
2021-22	19	6
2022-23	37	8
2023-24	69	2

- 4.2 Over the last 4 academic years an average of 4 children have returned to mainstream school following permanent exclusion via Fair Access Protocol. At present there are a further 2 students currently re-integrating back to mainstream.
- 4.3 There are currently **77** students on Horizon/ Haven roll.

- 4.4 The trajectory below has been updated given the latest numbers of permanent exclusions. It utilises the current rate of exclusions/ in year less fair access to estimate numbers on roll in future years.

Academic Year		
2024-25	Total on roll at Sept-2024	<b>77</b>
	Return under In year Fair Access	4
	PEX in year	69
2025-26	Estimated Total on roll	<b>142</b>
	Return under In year Fair Access	4
	PEX in year	69
2026-27	Estimated Total on roll	<b>207</b>

- 4.5 Thus, if current exclusion rates continue there will be **207** pupils on roll of Horizon by September 2026. This does not take into account any rise in the rate of permanent exclusions.

## 5. Funding Gap – Current Outturn Projection 2024/25

- 5.1 Projections have been prepared to the end of quarter one based on the existing pupil numbers being managed across Horizon, Haven and Alternative Provision. These estimates are based on the “as-is” position so do not factor in further growth in pupil numbers at this stage.
- 5.2 Horizon School engages with all pupils being managed following PEX. This means that all pupils spend at least an element of their time in Horizon School, even though their education provision is largely AP.
- 5.3 The mid-case projection at the end of quarter one is an overspend of £0.360m for 2024/25. This overspend position is in addition to the short-term funding increase of £0.250m agreed by Schools’ Forum in February 2024.
- 5.4 An estimated £0.160m of the overspend relates to school fees for AP – directly linked to the full year impact of increases in PEX volumes being managed by the service.
- 5.5 Significantly higher staffing costs, estimated at £0.200m account for the remainder of the projected overspend. This additional cost is necessary to allow engagement and support of all pupils across the whole service, including those primarily in AP.

## 6. Future Funding Gap - Considerations

- 6.1 As outlined above, the current budget for Horizon and AP does not cover the required provision for the significant increase in permanent exclusions.
- 6.2 Should the trajectory shown at table 4.4 of this report materialise, the current spending pressure could potentially quadruple. Therefore, Schools’ Forum are asked to again urgently consider the position and identify solutions to manage the volume of PEXs.
- 6.3 The increase in permanent exclusions has placed significant pressure on accommodation to meet the needs of the children and young people. Officers are currently reviewing the situation and looking at potential feasibility studies in order to increase accommodation. Alternative accommodation will be required to ensure



appropriate education for all permanently excluded students and reduce the need for costly, alternative provision which does not provide an appropriate curriculum to be able to support students back to mainstream education.

- 6.4 Alternative accommodation will require one off capital spend and will come with an increased revenue cost due to the running costs of a larger education provision.
- 6.5 Schools Forum are engaged with the work underway as part of the High Needs Block review to reduce the High Needs Block deficit. The increase in PEXs and associated pressure on the High Needs Block has the potential to wipe out any savings identified arising from the review, therefore reducing the budget available to support children with special educational needs.
- 6.6 The Local Authority are taking opportunities which, it is hoped, will lead to a reduction in exclusions and thus a reduction in spend. This includes the use of grant funding to create a '3 Tier Alternative Provision' model. Over time it is expected that the impact of this model, through working in close collaboration with schools, will reduce the number of children permanently excluded and therefore reduce the pressure on the High Needs Block.

## **7. Recommendations**

- 7.1 Forum is asked to:
  - Note the contents of the report;
  - Consider ways to limit future PEX volumes.

# Schools Forum Constitution 2024-26

Item 4

Representatives	Sector Represented		School / Establishment	Term of Office		Named Substitute
				From	To	
<b><u>SCHOOLS</u></b>						
Sue Sharpe	GOVERNOR	Maintained Governors	All maintained school governors	01 September 2024	31 August 2026	Tim Blades
David Turner	PRIMARY	Maintained Primary	Rift House, Golden Flatts	01 September 2024	31 August 2026	Alison Darby
Chris Connor	PRIMARY	Maintained Primary	Fens, Throston, Lynnfield	01 September 2024	31 August 2026	Mark Atkinson
<b>Sub-Total</b>	<b>3</b>					
Mark Tilling (Chair)	SECONDARY	Maintained Secondary	High Tunstall	01 September 2024	31 August 2026	Laura Ovens
<b>Sub-Total</b>	<b>1</b>					
Andrew Jordan	Academy - Secondary	Secondary Group 1	Dyke House, Manor	01 September 2024	31 August 2026	Lee Kirtley
Tracey Gibson	Academy - Secondary	Secondary Group 2	St Hild's, English Martyrs	01 September 2024	31 August 2026	Chris Seymour
Gillian Hood	Academy - Primary	Primary Group 1	West Park, Holy Trinity, St Aidans, Ward Jackson	01 September 2024	31 August 2026	Amanda Baines
Nicola Dunn	Academy - Primary	Primary Group 2	Greatham	01 September 2024	31 August 2026	
Carole Bradley (Chair)	Academy - Primary	Primary Group 3	Hart, St Peters	01 September 2024	31 August 2026	Marcus Newing
John Hardy	Academy - Primary	Primary Group 4	St John Vianney, St Begas, St Josephs, St Teresa, Sacred Heart, St Cuthberts	01 September 2024	31 August 2026	Jo Wilson
Lee Walker	Academy - Primary	Primary Group 5	Barnard Grove, Brougham, West View	01 September 2024	31 August 2026	Sarah Greenan
Phil Pritchard	Academy - Primary	Primary Group 6	Stranton, Eskdale, Jesmond Gardens	01 September 2024	31 August 2026	Neil Nottingham
Leanne Yates	Academy - Primary	Primary Group 7	St Helen's, Grange	01 September 2024	31 August 2026	Sam Mugrave
Caroline Reed	Academy - Primary	Primary Group 8	Rossmere, Eldon Grove, Clavering	01 September 2024	31 August 2026	Christian Parks
Zoe Westley	Academy - Special	Special	Springwell, Catcote, Free School	01 September 2024	31 August 2026	Elliot Stirk
<b>Add</b>	<b>Add</b>			<b>01 September 2024</b>	<b>31 August 2026</b>	
<b>Sub-Total - Academies</b>	<b>12</b>					
Emma Rutherford	Horizon School	PRU	Horizon School	01 September 2024	31 August 2026	Sarah Nevison
<b>Sub-Total</b>	<b>1</b>					
<b>SUB-TOTAL SCHOOLS</b>	<b>17</b>					
<b><u>NON-SCHOOLS</u></b>						
Toni Ray	Private, Voluntary, Independent Providers	Early Years	PVI	01 September 2024	31 August 2026	Vacant
Colette Hogarth	DIOCESE - RC		Hexham & Newcastle	01 September 2024	31 August 2026	Nick Lindsay
Vikki Wilson	DIOCESE - C of E		Durham	01 September 2024	31 August 2026	Jo Heaton
Linda Richardson	Private, Voluntary, Independent Providers	Early Years	PVI	01 September 2024	31 August 2026	Vacant
Jane Reed	16-19 SECTOR			01 September 2024	31 August 2026	TBC
Edwin Jefferies	UNIONS		UNISON	01 September 2024	31 August 2026	TBC
<b>SUB-TOTAL NON-SCHOOLS</b>	<b>6</b>					
<b>TOTAL MEMBERSHIP</b>	<b>23</b>					

<p style="text-align: center;"><b>Report to Schools' Forum 24 September 2024</b> <b>From Amanda Whitehead Assistant Director: Education</b></p>
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**Agenda Item 5: 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 Forum members will recall 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 The CSSB 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*. In 2017/18, regulations were amended which allowed local authorities to retain some of their Schools 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* provided to both maintained schools and academies are listed in **Appendix 1** (Column 1) and *general duties* provided to maintained schools only in **Appendix 1** (Column 2).
- 3.2 Schools Forum is required to agree the funding for retained duties (all School Forum Members) and the general duties (maintained school members only).
- 3.3 For retained duties, an indicative budget requirement of £0.215m has been included in the CSSB to cover these activities. Schools' Forum will be asked to approve this funding from the CSSB in a separate report at this meeting.
- 3.4 For general rate duties, the local authority is proposing a rate of £60 per pupil from all maintained schools to fund the cost of providing these services. The £60 per pupil rate is unchanged since 2017/18.
- 3.5 The local authority is asking schools to fund central services at a consistent rate of £60 per pupil. The nil increase since 2017/18 demonstrates the commitment of

the local authority to minimise the financial burden on schools, whilst retaining appropriate funding to discharge statutory duties.

- 3.6 Had the rate kept pace with pay inflation, the rate would have been set at £85 per pupil for 2025/26.

#### **4. Funding of General Duties – Historic Context**

- 4.1 This £60 rate for 2024/25 was not agreed by Schools' Forum and the local authority 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 local authority scrutinised all duties funded from the proposed rates in its responses to the questions posed by the Secretary of State regarding the disapplication request. In carrying out this review, the local authority had due regard to its duties and responsibilities under the Public Sector Equality Duty (PSED) in Section 149 of the Equality Act 2010. The local authority believes that the proposed rates would have no adverse impact on the PSED under the Equality Act 2010.

- 4.2 The Secretary of State responded to the disapplication request as follows:

*“After careful consideration of your application, and supporting evidence, the minister has approved this request for the 2024 to 2025 financial year.”*

- 4.3 Forum members will recall that the local authority has already absorbed a 31.9% cut in ESG funding which supports the services detailed at appendix A. The services funded from ESG cut across all departments of the Council and by their nature are not provided by a single person but 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 2025/26 then the local authority would not be able to maintain services at the level required by statute.

- 4.4 If the local authority 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. This would be the ninth consecutive request for disapplication.

#### **5. Next Steps**

- 5.1 Schools' Forum is asked to consult with the members they represent to ensure that sufficient information is available in order for a decision to be taken at the next Schools' Forum in October 2024.

- 5.2 Should further information be required Schools' Forum members will need to notify the local authority at the meeting on 24 September 2024, to ensure sufficient time is available to provide any additional information.

**6. Recommendations**

- 6.1 It is recommended that Schools' Forum:

a) Note the contents of the report;

b) Consult those maintained schools that individual members of the Forum represent to ensure that sufficient information is available in order to vote on a general rate of £60 per pupil at Schools' Forum in October 2024.



## 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

### School Improvement

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]
	<ul style="list-style-type: none"> <li>expenditure related to core school improvement activities of local authorities with respect to maintained schools (Sch 2, 54)</li> </ul>

### 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"> <li>Director of children's services and personal staff for director (Sch 2, 15a)</li> <li>Planning for the education service as a whole (Sch 2, 15b)</li> <li>Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Sch 2, 22)</li> <li>Authorisation and monitoring of expenditure not met from schools' budget shares (Sch 2, 15c)</li> <li>Formulation and review of local authority schools funding formula (Sch 2, 15d)</li> </ul>	<ul style="list-style-type: none"> <li>Functions of LA related to best value and provision of advice to governing bodies in procuring goods and services (Sch 2, 57)</li> <li>Budgeting and accounting functions relating to maintained schools (Sch 2, 74)</li> <li>Authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Sch 2, 58)</li> <li>Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community</li> </ul>	<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>

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"> <li>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)</li> <li>Consultation costs relating to non-staffing issues (Sch 2, 19)</li> <li>Plans involving collaboration with other LA services or public or voluntary bodies (Sch 2, 15f)</li> <li>Standing Advisory Committees for Religious Education (SACREs) (Sch 2, 17)</li> <li>Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Sch 2, 21)</li> </ul>	<p>facilities by governing bodies (Sch 2, 59)</p> <ul style="list-style-type: none"> <li>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, 60)</li> </ul> <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</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>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, IT and Digital Services and Assistant Director of Education.</p> <p>Check and load Schools budget on 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>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>Payments to the HMRC. eg for NI &amp; 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"> <li>• Functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Sch 2, 61)</li> </ul> <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"> <li>• 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, 62)</li> </ul> <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"> <li>• An allocated named senior HR Business Partner</li> <li>• Support for all casework including independent investigations, conciliation and management support in negotiations with staff representatives</li> <li>• Participation in any formal hearings under disciplinary, grievance, capability, sickness absence and redundancy procedures.</li> </ul>

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"> <li>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, 73)</li> </ul> <p>Day to day administration of the Teachers Pension Fund and Local Government Pension scheme. This 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</p>	<ul style="list-style-type: none"> <li>Complex issues dealt with at no additional charge</li> </ul>

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>appeals against decisions (not relevant to academies)</p> <ul style="list-style-type: none"> <li>Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 2, 76)</li> </ul> <p>Should this instance occur the Local Authority would be mindful of its obligations and ensure inappropriate costs were not charged to the School.</p> <ul style="list-style-type: none"> <li>HR duties, including: advice to schools on the management of staff, pay alterations, conditions of service and composition or organisation of staff (Sch 2, 64); determination of conditions of service for non-teaching staff (Sch 2, 65); appointment or dismissal of employee functions (Sch 2, 66)</li> <li>Consultation costs relating to staffing (Sch 2, 67)</li> </ul> <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>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<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 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"> <li>• Compliance with duties under Health and Safety at Work Act (Sch 2, 68)</li> </ul> <p>Under health and safety legislation, the <b>Managing Director and Executive Director of Children's and joint Commissioning Services</b> 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 &amp; 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</p>	<p>The service also provides a wide range of cost effective</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>auditing in terms of health and safety management.</p> <p>To meet this requirement the <b>Managing Director</b> 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><b>Policies and Procedures</b> This includes development, production, and monitoring of Council wide and school specific health and safety policies and procedures. These documents assist the <b>Managing Director</b>, 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 <b>Managing Director</b> to ensure it reflects the standards of health and safety management required by legislation.</p> <p><b>Advice and Information (including liaison with enforcement agencies)</b></p> <p>The HSWT provide advice, on health, safety &amp; fire issues as requested. The advisory service includes guidance on: the cost effective implementation of health, safety &amp; fire law and the</p>	<p>well being services including:</p> <ul style="list-style-type: none"> <li>• Access to a full range of occupational health services</li> <li>• Physiotherapy services</li> <li>• Counselling services</li> <li>• Workplace health assessment following Occupational health referral</li> <li>• On site training</li> <li>• Pregnant worker assessments</li> <li>• DSE assessment</li> <li>• Additional health and safety inspections</li> </ul>

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>development of safe systems of work and management systems;</p> <p>the development of practical health, safety &amp; fire standards based on results of risk assessments and legal requirements;</p> <p>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> <p>Prioritisation, on health and safety grounds, of repairs to buildings, plant and equipment.</p> <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><b>Annual Health &amp; Safety Review</b></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</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>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 Managing Director &amp; Governing Body, to provide re-assurance that legislative compliance is being achieved and as such a safe and healthy environment is provided.</p> <p><b>Incident Investigation and reporting to Enforcement Agencies</b></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 &amp; reporting to the Health and Safety Executive as required by RIDDOR</p> <p><b>Annual HSW Schools Training Programme</b></p> <p>Schools are provided with unlimited access to the Schools HSW Annual Training Programme. This includes H&amp;S training for Headteachers and/or Business Managers; risk assessment training; H&amp;S for maintenance personnel; Asbestos Awareness for Site Asbestos Checking Officers;</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>Fire Warden Training; Managing Maintenance Contractors</p> <p><b>Generic school risk assessment templates</b></p> <p>These templates cover typical school based risks which are tailored by school.</p> <p><b>Termly H&amp;S Newsletter</b></p> <p><b>Access to CLEAPSS</b></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.</p> <p>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> <p>CLEAPSS covers:</p> <ul style="list-style-type: none"> <li>model risk assessments for science and technology,</li> <li>chemicals, living organisms, equipment,</li> <li>sources of resources,</li> <li>laboratory design, facilities and fittings,</li> <li>technicians and their jobs,</li> <li>D&amp;T facilities and fittings.</li> </ul> <p><b>School Radiation Protection Officer (secondary schools)</b></p> <p>To comply with the Ionising Radiation Regulations, schools with radiation sources must have access to a radiation protection adviser, a radiation protection</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>officer and a radiation protection supervisor. The HSWT provide school's with access to Radiation Protection Adviser (current provider is CLEAPSS),  Radiation Protection Officer (Council Officer)  Radiation Protection Guidance containing local rules, emergency contact details, risk assessments, various pro-forma for source accountancy etc.  The radiation protection officer's role is to undertake a period inspection and leakage test of radiation sources in the school and  Liaise with the HPA and the school based radiation protection supervisor to resolve any local issues  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"> <li>• Provision of information to or at the request of the Crown relating to schools (Sch 2, 69)</li> </ul> <p>Providing information as required</p> <ul style="list-style-type: none"> <li>• School companies (Sch 2, 70)</li> </ul>	

Responsibilities held for all schools <u>and</u> academies [RETAINED DUTIES]	Responsibilities held for maintained schools <u>only</u> [GENERAL DUTIES]	SLA Duties
	<p>The Local authority will ensure that if required then we would meet our statutory requirements</p> <ul style="list-style-type: none"> <li>• Functions under the Equality Act 2010 (Sch 2, 71)</li> </ul> <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 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"> <li>• Establish and maintaining computer systems, including data storage (Sch 2, 72)</li> </ul> <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</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>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"> <li>• Appointment of governors and payment of governor expenses (Sch 2, 73)</li> </ul> <p>The local authority checks to ensure that schools have the appropriate instrument of government in place.</p>	

## Education welfare

Responsibilities held for all schools	Responsibilities held for maintained schools only
<ul style="list-style-type: none"> <li>Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Sch 2, 20)</li> <li>School attendance (Sch 2, 16)</li> <li>Responsibilities regarding the employment of children (Sch 2, 18)</li> </ul>	<ul style="list-style-type: none"> <li>Inspection of attendance registers (Sch 2, 79)</li> </ul>

## Asset management

Responsibilities held for all schools	Responsibilities held for maintained schools only	Duties provided under the SLA
<ul style="list-style-type: none"> <li>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)</li> <li>General landlord duties for all buildings owned by the local authority, including those leased to academies (Sch 2, 14b)</li> </ul>	<ul style="list-style-type: none"> <li>General landlord duties for all maintained schools (Sch 2, 77a &amp; b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have: <ul style="list-style-type: none"> <li>appropriate facilities for pupils and staff (including medical and accommodation)</li> </ul> </li> </ul> <p>Annual condition surveys are carried out by the Building Design &amp; 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</p>	<ul style="list-style-type: none"> <li>Provision of a full design and build service to clients.</li> <li>Annual review of Asbestos Survey findings to comply with the legislation, including advice and guidance on any findings.</li> <li>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.</li> <li>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.</li> </ul>

Responsibilities held for all schools	Responsibilities held for maintained schools only	Duties provided under the SLA
	<p>and feedback 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"> <li>the ability to sustain appropriate loads</li> </ul> <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"> <li>reasonable weather resistance</li> </ul> <p>Annual condition surveys carried out by Building Design &amp; 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"> <li>safe escape routes</li> </ul> <p>This will be picked up by Health &amp; 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"> <li>appropriate acoustic levels</li> </ul>	

Responsibilities held for all schools	Responsibilities held for maintained schools only	Duties provided under the SLA
	<p>A Suitability Survey carried out between Building Design &amp; 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"> <li>• lighting, heating and ventilation which meets the required standards</li> <li>• adequate water supplies and drainage</li> <li>• playing fields of the appropriate standards</li> <li>• General health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc. Act 1974)</li> <li>• Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012)</li> </ul> <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"> <li>No functions</li> </ul>	<ul style="list-style-type: none"> <li>Clothing grants (Sch 2, 53)</li> <li>Provision of tuition in music, or on other music-related activities (Sch 2, 54)</li> <li>Visual, creative and performing arts (Sch 2, 55)</li> <li>Outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (Sch 2, 56)</li> </ul>

### Premature retirement and redundancy

Responsibilities held for all schools	Responsibilities held for maintained schools only
<ul style="list-style-type: none"> <li>No functions</li> </ul>	<ul style="list-style-type: none"> <li>Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 2, 78)</li> </ul>



## Monitoring national curriculum assessment

Responsibilities held for all schools	Responsibilities held for maintained schools only
<ul style="list-style-type: none"> <li>No functions</li> </ul>	<ul style="list-style-type: none"> <li>Monitoring of National Curriculum assessments (Sch 2, 75)</li> <li>Statutory assessment and moderation</li> <li>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;</li> <li>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</li> <li>STA assessment training (EYFSP )- Attendance at central training events provided by STA for LA personnel for the implementation and delivery of statutory assessments</li> <li>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</li> <li>Moderator training/update – training for moderators to ensure all are clear about current developments and understand the moderation process. Includes moderation and standardization</li> <li>EYFSP moderation meetings - provided for school staff for evidence trialling and cross school moderation and standardization</li> <li>Meet the moderator meeting – to ensure selected schools are sufficiently prepared for the moderation visit.</li> <li>EYFSP moderation visits –actual visits to schools to moderate school judgements</li> <li>EYFSP school moderation and QA of data at schools' request, visits to schools not selected</li> </ul>

Responsibilities held for all schools	Responsibilities held for maintained schools only
	<p>by LA but who have requested external LA validation</p> <ul style="list-style-type: none"> <li>• Quality Assurance of data at data collection, (includes, review of data, telephone calls to schools and visits if needed)</li> <li>• Moderation admin.</li> <li>• Strategic planning</li> <li>• 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</li> <li>• 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</li> <li>• KS1 and KS2 STA Lead moderators training attendance at STA training for LA nominated Lead Moderators</li> <li>• KS2 Lead moderator testing – statutory STA standardisation exercise for LA Lead moderators</li> <li>• KS1 Lead moderator test – Facilitation and adjudication of statutory standardisation exercise for KS1 moderator</li> <li>• 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</li> <li>• School based moderators' attendance at KS2 moderator training</li> <li>• Delivery of KS1 moderator training (LA staff) training for KS1 moderators to ensure all are clear about current developments and</li> </ul>

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"> <li>• School based moderators' attendance at KS1 moderator training (above)</li> <li>• Assessment of KS1 written statutory STA standardisation exercise</li> <li>• 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</li> <li>• Preparation for all moderator training and sats training – essential preparation time for delivery of all training listed</li> <li>• 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</li> <li>• KS1 &amp; KS2 moderation activities - (10 schools)</li> <li>• Formulation of Moderation plans</li> <li>• Training for moderation visits</li> <li>• Data checks for moderated schools</li> <li>• Strategic planning (self explanatory – ref KS1 and KS2 LA moderation plans)</li> <li>• Phonics checks - 10% of schools</li> <li>• Test monitoring &amp; Test storage monitoring</li> <li>• KS2 SATS monitoring – 10 % of schools (including storage and package checks)</li> </ul>

## Therapies

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

**Report to Hartlepool Schools' Forum 24 September 2024**  
**From Amanda Whitehead – Assistant Director Education**

**Item 6: Indicative Schools and Central School Services Block Budgets 2025/26**

**1. Introduction**

- 1.1 The purpose of the report is to outline the key decisions needed from Schools' Forum concerning the 2025/26 Schools Block and 2025/26 Central School Services Block (CSSB) funding once indicative funding information is issued by the Education and Skills Funding Agency (ESFA).

**2. Background**

- 2.1 ESFA have delayed publishing indicative National Funding Formula (NFF) allocations for 2025/26. At the time of writing this report, no expected date for publication has been provided.
- 2.2 Despite the delayed information, the authority wishes to consult with Schools' Forum on a number of key principles for budget planning. These key principles are usually discussed each September with Forum.
- 2.3 Firstly, any transfers to and from the Schools Block can be considered.
- 2.4 Secondly, a local approach to setting both a Minimum Funding Guarantee (MFG) and Capping can be considered.
- 2.5 Finally, the budget requirement for Central School Services can be outlined to Forum for review.

**3. Proposed Block Transfers**

- 3.1 Schools' Forum will recall that a transfer-in to the Schools Block from the Central School Services Block (CSSB) has become usual practice in recent years. The CSSB is made up of two elements – funding for ongoing commitments and funding for historic commitments. Since 2020/21, funding of historic commitments is being cut at 20% per year on the assumption that historic costs should reduce over time.
- 3.2 The indicative NFF allocation for Central Services Block in 2025/26 has not yet been published.
- 3.3 The budget requirement for CSSB in 2025/26 is presented at section 5 of this report. Should Forum agree the budget proposal for 2025/26, it is likely that there will be a small amount of funding remaining to transfer from CSSB to the Schools Block (£0.093m in 2024/25). Forum are asked for their approval in principle to transferring any surplus CSSB funding to the Schools Block to support Individual School Budgets (ISBs).
- 3.4 In a separate report on this same agenda, Schools' Forum will be asked to consider a transfer of 0.5% from the Schools Block to the High Needs Block in order to support the significant pressure on provision of education to pupils with SEND.

#### 4. Setting a Local Policy for MFG and Capping

- 4.1 The regulations continue to allow a local policy for a minimum funding guarantee (MFG) and cap so that any excessive year-on year changes can be protected against.
- 4.2 For 2025/26, we expect that a local MFG can be applied in the range of +0.0% to +0.05%. This would be unchanged from 2024/25.
- 4.3 For 2024/25, a local policy was applied on the basis of the maximum allowable MFG of +0.05%. In order for the 0.05% MFG to be affordable, a cap of 2.50% was applied. This meant all schools received at least 0.05% more funding per pupil and no more than 2.50% per pupil in 2024/25 ISBs.

#### 5. Central School Services – Budget Requirement 2025/26

- 5.1 Upon introduction of the National Funding Formula, the Education and Skills Funding Agency (ESFA) established a CSSB to fund local authorities for the statutory duties and other commitments they hold for both maintained schools and academies. The CSSB brings together:
- funding previously allocated through the retained duties element of the Education Services Grant (ESG)
  - funding for ongoing central functions, such as admissions, previously top-sliced from the Schools Block
  - residual funding for historic commitments, previously top-sliced from the Schools Block.
- 5.2 Schools' Forum will recall that a 20% year on year funding reduction is applied to historic commitments within the CSSB. 2025/26 will be the sixth year of the funding cut being applied. Despite the funding cuts to date, we expect the budget requirement for 2025/26 to remain within the reduced funding available. However, this position is likely to change by April 2026.
- 5.3 DfE has agreed to protect any local authority from having a reduction that takes their total historic commitments funding below the total value of their ongoing prudential borrowing and termination of employment costs, in recognition of the lead in times required for such costs to unwind.
- 5.4 Schools' Forum are asked to approve the following budget requirement for **historic commitments**. As per the regulations, values are frozen so unchanged from previous financial years.

Historic Commitment	Budget Requirement 2025/26	Description
Licences	£0.067m	Contribution to the Council-wide EYES system. The introduction of the EYES system has produced savings against the original CSSB funding of £0.77m. Therefore, the budget requirement in 2025/26 is a contribution of £0.067m towards the costs of these licences, effectively transferring the savings of £0.010m made back to the Schools Block. The EYES system supports a number of wider Council operations and funding from Council service

		teams, including Early Years to fund the Childcare module, supports the overall EYES system cost.
Termination Costs (Brierton School)	£0.031m	Covers the ongoing termination costs for ex-Brierton staff. This historic pension commitment will only diminish on the death of the ex-employees. Although the historic budget was set at £0.031m, the ongoing budget requirement is actually £0.039m. The difference is linked to an error in the original pension cost estimate provided upon the school closure. As the regulations do not allow for budgets for historic commitments to be increased, <u>Schools' Forum is asked to approve the original funding amount of £0.031m for 2024/25.</u> The remaining cost has been funded from DSG reserves in previous years.

5.5 Schools' Forum are asked to approve the following budget requirement for **ongoing commitments**.

Ongoing Commitment	Budget Requirement 2025/26	Description
Copyright Licences	£0.083m	The ESFA has negotiated copyright licences for schools with most copyright holders. The licences are purchased by the ESFA, who charge the local authority by way of a reduction in DSG. The licence cost for 2025/26 is estimated at £0.083m.
Admissions Service	£0.159m	It is the responsibility of the Local Authority to ensure that admission arrangements are compliant with the Admissions Code (2014). Local Authorities are expected to incur costs for requirements in relation to admissions and retain central DSG funding which contributes towards an Admissions Team. The budget requirement includes a 2% increase from 2024/25 to reflect the estimated pay award in April 2025.
Servicing of Schools' Forum	£0.046m	The cost of delivering Schools' Forum, including the preparation and attendance of at least four meetings per year. This includes staff costs for preparation of reports. The budget requirement includes a 2% increase from 2024/25 to reflect the estimated pay award in April 2025.
Statutory Services - Retained Duties	£0.215m	Details regarding this element of funding are covered in a separate report on Statutory Services presented to Schools' Forum at this same meeting. The budget requirement for 2025/26 is set at £16.18 per pupil (unchanged from 2024/25), with pupil volumes currently based on October 2023 school census data.  The charge reflects the cost of services delivered by the local authority to all schools, including academies. A list of services provided is included in the appendix attached to the separate report.

5.6 This gives a total budget requirement of £0.098m historic commitments and £0.503m ongoing commitments – a grand total of £0.601m.

- 5.7 As the charge for Statutory Services – Retained Duties is driven by pupil numbers, the amount is subject to change once October 2024 pupil numbers are updated.

## 6. **Recommendations**

- 6.1 Forum is recommended to:
- a) Provide approval in principle to the transfer of any residual CSSB funding to the Schools Block for 2025/26 as outlined in section 3 of the report;
  - b) Provide approval in principle to applying the maximum MFG, along with a necessary cap to ensure affordability of ISBs in 2025/26 (as outlined in section 3 of the report). *Please note that budget models will be presented to future Forum meetings to illustrate the impact of this before final approval is sought for 2025/26 ISBs;*
  - c) Agree to fund the budget requirement for historic commitments as detailed in paragraph 5.4 of the report (*Please note: a separate vote per service is required and all Forum members are eligible to vote*);
  - d) Agree to fund the budget requirement for ongoing responsibilities as detailed in paragraph 5.5 of the report (*Please note: a separate vote per service is required and all Forum members are eligible to vote. However, a vote is not required for copyright licences as these are agreed on a consultation-only basis*).

***Voting: All Schools' Forum members are eligible to vote on these recommendations.***



**Report to Hartlepool Schools' Forum 24 September 2024**  
**From Amanda Whitehead – Assistant Director Education**

**Item 7: Growth Fund Modelling and High Needs Block Budget Proposals 2025/26**

**1. Introduction**

- 1.1 The purpose of the report is to update Schools' Forum on Growth Fund Modelling and the proposed transfer of funding to the High Needs Block (HNB) for 2025/26.

**2. Background**

- 2.1 This report includes updated information concerning schools with significant growth outside of the October census point (upon which schools funding is based). Forum will recall that an initial piece of work was completed during 2023 and that no allocations from the growth fund were agreed at that point. Schools' Forum agreed that the growth fund allocation in 2024/25 was transferred to the High Needs Block in full for 2024/25.
- 2.2 ESFA have delayed publishing indicative National Funding Formula (NFF) allocations for 2025/26. At the time of writing this report, no expected date for publication has been provided.
- 2.3 Despite the delayed information, the authority wishes to consult with Schools' Forum on a proposed block transfer of funding from Schools Block to the HNB in 2025/26. The regulations allow for a transfer of up to 0.5% of Schools Block funding with the approval of Schools' Forum.
- 2.4 Should Forum not support the transfer of 0.5%, a disapplication request will be submitted by the authority to the Secretary of State.

**3. Growth Fund Modelling Update**

- 3.1 Since 2019/20, Hartlepool has received a growth fund allocation within the schools block formula. Schools' Forum approved the growth policy in 2019 and for the first 5 years of funding, 2 Hartlepool secondary schools received a growth allocation from the fund because of a local authority requested increase to the PAN.
- 3.2 Growth funding continued for 2024/25 and work was completed in October 2023 to model a potential new growth disbursement policy based on any schools with pupil growth exceeding half a class from the October census point (the point of funding) to the subsequent January or May census point.
- 3.3 Forum will recall that regulations surrounding use of growth funding are restrictive but that ESFA confirmed during a meeting with Council Officers that an increase of half a class would be allowable criteria for disbursement. At the same meeting, ESFA colleagues expressed surprise that use of growth funding was being considered when the funding could be transferred to the HNB.
- 3.4 Two models were prepared in October 2023 – the first assumed a half class size as 15 pupils across all schools; the second assumed a half class size to be 10% of an individual school's number on roll as at the latest October census.

- 3.5 The initial modelling showed that no Hartlepool schools triggered the pupil growth criteria for 2024/25 funding using either model. However, Forum agreed to revisit the calculation for 2025/26. Growth Funding of £0.334m was transferred into the High Needs Block.
- 3.6 Modelling work has now been updated using October 2023 census compared to January 2024 and May 2024 census points. This showed that 3 schools had pupil increases in excess of 15 over this period (Model 1) and only 1 school had pupil increases in excess of 10% (Model 2). Should Forum wish to fund the schools using Model 1, the total cost would be £40,073 which would be payable to the schools as part of their 2025/26 budget.
- 3.7 Historic Growth amounts since 2019 are in table below. Using 2024/25 as an illustrative example only, if Forum agreed the disbursement of growth funding using Model 1, there would be £293,487 left in the Growth Fund.

Financial Year	Growth Funding £
2024/25	333,560
2023/24	185,935
2022/23	275,715
2021/22	217,208
2020/21	343,365
2019/20	156,915

#### **4. Proposed Block Transfer**

- 4.1 Schools' Forum are aware of the continuing significant pressure on high needs spending. As at 31 March 2024, the authority has an overall Dedicated Schools Grant (DSG) deficit of £1.589m and this is expected to increase to at least £5.089m by 31 March 2025.
- 4.2 As the authority is now reporting a DSG deficit, ESFA require completion of their DSG Management Plan that includes plans to mitigate the deficit position over future years.
- 4.3 The authority in its DSG Management Plan proposes to transfer 0.5% of the schools block funding to the HNB from 2025/26 onwards to support the mitigations needed to improve the deficit position.
- 4.4 For 2024/25, unused Growth Funding was transferred into the HNB, equating to 0.41% of the total Schools Block. The authority will be asking for the full 0.5% to be transferred in 2025/26.
- 4.5 Total schools block funding in 2024/25 is £81.132m so 0.5% is expected to be in the region of £0.406m for 2025/26. The exact amount will be confirmed once ESFA release the delayed indicative funding information.

- 4.6 At 2024/25 funding rates, should Forum approve a new growth policy and disbursement using Model 1 as described at paragraph 3.4, this would leave £293,487 in the Growth Fund, requiring a further £112,513 to be transferred from the Schools Block to top up to the 0.5% transfer of £0.406m.

## **5. Recommendations**

- 5.1 Forum is recommended to:

- a) Consider whether to adopt Model 1 or Model 2 as a new Growth Fund Policy and associated disbursement in 2025/26 using the Growth Fund Allocation;
- b) Approve the 0.5% transfer from Schools Block to High Needs Block.

***Voting: All Schools' Forum members are eligible to vote on these recommendations.***

**Report to Hartlepool Schools' Forum 24 September 2024**  
**From Amanda Whitehead, Assistant Director – Education**

**Item 8: High Needs Block (HNB) Projected Outturn 2024/25**

**1. Introduction**

- 1.1 The purpose of the report is to present the projected 2024/25 outturn for high needs services based on spending to the end of quarter one.

**2. Background**

- 2.1 Financial pressures affecting the provision of services for Special Educational Needs and Disabilities (SEND) are reported to Schools' Forum at regular intervals.
- 2.2 Projected outturns for 2024/25 based on worse-case, mid-case and best-case have been prepared.
- 2.3 The final position for 2023/24 was a year-end overspend of £2.348m.
- 2.4 Children's Services Committee approved proposals from Officers to set a budget requirement exceeding the available HNB funding by £2.171m in 2024/25.

**3. 2024/25 Block Funding**

- 3.1 The latest Hartlepool HNB allocation for 2024/25 is £19.520m. Schools' Forum agreed to transfer unused growth funding from the schools block in 2024/25 of £0.334m. This provides total funding of **£19.854m** before recoupment for academy place funding.
- 3.2 Academy place funding will be recouped (or deducted) at a total of £3.473m.
- 3.3 Forum will recall that an in-year adjustment called the import/export adjustment is proposed by ESFA each summer. Work to finalise the adjustment for this year is still in progress. The current funding allocation of £19.520m includes an increase in funding of £0.051m compared to the original funding estimate for 2024/25. Discussions are underway with ESFA to finalise the adjustment and Forum will be updated once these are complete.

**4. 2024/25 Outturn Projection**

- 4.1 Based on spending to quarter 1, along with estimated expenditure for the remainder of the financial year, the projected outturn position for high needs ranges from £2.855m overspend best case to £3.939m overspend worse case. This is summarised by each area of spend in the table below.
- 4.2 The paragraphs that follow explain the main variances to budget based on the mid-case projection of £3.500m.

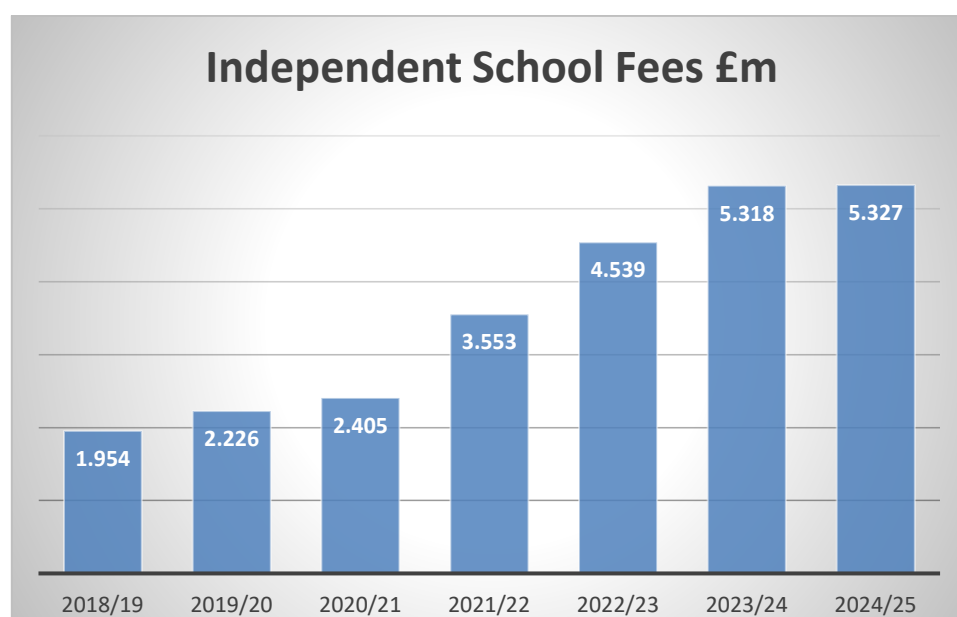
High Needs Expenditure 2023/24	Worse Case		Mid Case		Best Case	
	Projection £m	Variance Over/(under) Spend £m	Projection £m	Variance Over/(under) Spend £m	Projection £m	Variance Over/(under) Spend £m
ESFA recoupment – academy place funding	3.473	-	3.473	-	3.473	-
Place funding (LA)	0.696	-	0.696	-	0.696	-
Independent school fees	5.465	0.324	5.327	0.186	5.051	(0.090)
Out of Area top-ups	0.466	0.014	0.466	0.014	0.466	0.014
Top-up funding and support	9.728	1.082	9.832	0.981	9.407	0.760
Horizon School and AP	1.740	0.560	1.540	0.360	1.392	0.212
Post-16 top-ups	1.299	(0.212)	1.299	(0.212)	1.299	(0.212)
Support services	0.726	-	0.726	-	0.726	-
Approved budget shortfall		2.171		2.171		2.171
<b>Total projection</b>	<b>23.593</b>	<b>3.939</b>	<b>23.359</b>	<b>3.500</b>	<b>22.510</b>	<b>2.855</b>

#### 4.3 Local authority place funding (on budget).

This budget head covers payment of place funding to ARPs within maintained schools. Outturn is expected to be in line with budget. New primary school ARP provision has been agreed but this will be paid at cost via top-ups as opposed to additional place funding in 2024/25.

#### 4.4 Independent school fees (£0.186m overspend)

The mid-case projected spend for independent school placements is £5.327m. This represents current commitments, less transfers to the new SEMH Free School in September. The projected outturn includes an assumed further 6 new places commissioned for autumn 2024 and spring 2025 at a cost of £23,000 per term.



The final spend in 2023/24 was £5.318m compared to our estimate for 2024/25 of £5.327m. This reflects the savings against independent school fees where it was feasible to transfer pupils to the new Free School.

#### 4.5 Out of authority top-ups (£0.014m overspend)

The mid-case projected spend for out of authority placements is £0.466m. This compares to expenditure of £0.530m in 2023/24. The decrease in expected costs from last year's outturn largely relates to 17 school leavers 2023/24. There have only been 7 new starters to offset the 17 leavers.

#### 4.6 Exclusions, including Horizon School (£0.360m overspend)

The outturn projection is outlined in more detail in a separate report on this same agenda. The current cost model for Horizon School and Haven is based on 28 and 12 pupils respectively. Pupils actually placed as at September 2024 are 67 Horizon and 10 Haven.

#### 4.7 Top-up funding and support (£0.981m overspend)

This budget heading includes funding for Individual Pupil Support (IPS) and funding for Special Schools, the new SEMH Free School and ARP top-ups.

The mid-case projected spend for Individual Pupil Support (IPS) is £2.892m. This represents current commitments and the assumption to fund a further 10 new funding agreements for 9 months over autumn 2024 and spring 2025 at a range of 5i. We have also assumed growth in exceptional/group funding of £0.150m. This gives a projected overspend of £0.357m. The newly established Seeking Support Panels continue to challenge and scrutinise all new funding requests.

The cost of ARPs is showing a projected spend of £1.326m which is a overspend of £0.072m when compared to the original budget. Primary reasons for the overspend relate to the Kingsley Primary School temporary accommodation costs over and above the set aside reserve funding plus a new primary ARP provision which was not in scope at the time of budget setting.

The Special School projected overspend of £0.038m reflects a part year effect of the costs arrangements for Academic Year 2024/25 capped at 3%. Additional places were commissioned for both Springwell and Catcote that were not included in budget assumptions. The additional pupils were funded at cost so were outside of the 3% budget cap.

The new SEMH Free School has now opened for the 2024 academic year with an initial 30 places. Lengthy discussions with ESFA have confirmed that, although place funding will be paid direct to the new Free School by DfE this year, funding for top-up payments will not flow through the HNB formula until 2025/26. This means that the cost of top-ups is not covered by any funding in the current financial year.

The Free School overspend of £0.497m represents the pro-rata cost of top-up for 30 places, one agreed exceptional funding placement, plus 4 further estimates for pupils requiring additional support above the standard top up.

The Hearing/Visually impaired joint agreement is showing a overspend of £0.017m owing to a 6.5% uplift on 23-24 fees from Middlesbrough Borough Council that was not known prior to budget setting.

#### 4.8 Post-16 top-up funding (£0.212m underspend)

The mid-case projected spend for Post-16 Top ups is showing an underspend of £0.212m. Costs for this area are not possible to predict until September admissions are confirmed and Commissioning Team negotiate packages with providers and therefore the assumption has been made using last year's outturn plus 5% at this stage.

#### 4.9 Support Services (on budget)

The contribution from high needs to local authority support services is assumed at budget level.

- 4.10 The approved budget shortfall of £2.171m is added to the outturn position as this represents unfunded expenditure included in the budget headings above.

### 5 DSG Balances Summary

- 5.1 There is now a negative reserve balance recorded against the DSG Block of £1.589m. Should the mid-case projection of £3.500m included in this report materialise, there would be a total high needs block deficit reserve of £5.089m.

- 5.2 A separate report on this same agenda outlines work to date on the council's DSG Management Plan. The plan includes the deficit projected of £5.089m along with projections to 31 March 2031.

### 6. Recommendations

- 6.1 Forum is recommended to note the contents of the report.

**Report to Hartlepool Schools' Forum 24 September 2024**  
**From Amanda Whitehead (Assistant Director - Education)**

**Item 9: ESFA Requirements for Authorities with a DSG (Dedicated School Grant) Deficit.**

**1. Introduction**

- 1.1 The purpose of the report is to brief Forum on requirements made from Education And Skills Funding Agency (ESFA) regarding the DSG deficit position.

**2. Background**

- 2.1 The Dedicated School Grant (DSG) encompasses 4 Blocks - the High Needs Block (HNB), Early Years Block, Schools Block and Central School Services Block. Spending against the HNB has been under financial pressure for a number of years. Although there have been significant increases in funding in recent years, these increases have not kept pace with demand.
- 2.2 Historically Hartlepool have not reported a deficit position against the overall DSG. However, as at 31 March 2024, the authority had an overall DSG deficit of £1.589m.
- 2.3 As a result of this deficit, ESFA requested in July 2024 that the Local Authority provide a management plan that includes:
- Current financial position against all components of this grant, with particular emphasis on the HNB;
  - Yearly projections including known spending pressures until 2031;
  - Mitigations to address any deficits.
- 2.4 ESFA have provided a standard template with associated guidance for the authority to complete.
- 2.5 Although the DSG Management Plan covers the full 4 blocks of the DSG, the detailed input to the Plan relates to the HNB.

**3. Process**

- 3.1 The ESFA are scheduled to meet Local Authority representatives in October to start to review and support the development of that plan.
- 3.2 Once agreed by ESFA, full sign off will be required from ELT, Forum and Children's Services Committee.
- 3.3 The expectation from ESFA is that the DSG Management Plan will continue to be updated and shared with Schools' Forum at least termly.

**4. DSG: The current financial position**

- 4.1 The authority is not projecting financial pressure on DSG spending outside of the HNB. Therefore, the input to the DSG Management Plan reflects a break-even position on the Early Years Block, Schools Block and Central School Services Block.



- 4.2 At this stage, the projections within the DSG Management Plan include expected financial pressures. These values are termed the “unmitigated forecast” by ESFA. Although a list of potential savings have been identified, the estimated value of savings have not been populated into the Plan as yet. Once values are attached to the savings and these figures are incorporated into the Plan, the “mitigated forecast” will be available.
- 4.3 The unmitigated forecast within the Plan currently projects a DSG deficit as shown in the following table. The £1.589m aligns to the actual deficit as at 31 March 2024 and the £5.089m expected by 31 March 2025 takes the Quarter 1 HNB outturn projection into account (presented in a separate report to Forum at this same meeting).

Financial Year	Projected DSG Deficit (Cumulative) £m
2023/24	1.589
2024/25	5.089
2025/26	9.907
2026/27	16.593
2027/28	23.772
2028/29	31.478
2029/30	39.751
2030/31	48.633

- 4.4 These projections represent the Unmitigated Forecast (i.e. without any planned savings) so will reduce once the plan is fully populated. Without planned mitigation, the projections suggest a DSG deficit of £48.633m as at 31 March 2031.

## 5. **Key Pressures on HNB**

- 5.1 Schools’ Forum will recall that Children’s Services Committee agreed the HNB budget for 2024/25 that exceeded available DSG funding by £2.171m. Projections at the end of quarter one already suggest that spending will increase the budgeted in-year deficit position by £1.329m.
- 5.2 Specific pressures have been included in the DSG Management Plan over the time period to 31 March 2031 as shown in the following table. The value of these pressures assume nil mitigation in line with the Plan requirements and rationale.

Key Pressure	Estimated Value 1 April 2025 to 31 March 2031 £m
Increasing volume of permanent exclusions	0.705
Increase in ARP places	0.220
Early Years – increased rates of identification	0.085
Year on year growth in EHCPs and IPS	1.719
Price inflation – NJC pay award in special schools	1.329
Price inflation – Independent School placements	2.402
General price inflation	3.256
Increased number of pupils staying in education post-16	0.148
<b>TOTAL PRESSURES PROJECTED</b>	<b>9.864</b>

## 6. **Planned Mitigations to Address Pressures on the HNB**

- 6.1 The requirement for the Local Authority to provide a Management Plan focuses around mitigations that are being developed, or used, to address this deficit.
- 6.2 Mitigations that have been included in the DSG Management Plan are shown in the following table. As discussed, values have not yet been attached to these mitigations within the Plan.

Key Mitigation / Saving
SEMH Free School Opening Sept 2024
Move to Seeking Support / Cluster Approach
Pathways for Alternative Provision
3 Tier Alternative Provision Model
Maintain Mainstream top-up annual increases below 5%
Maintain special school cost arrangement annual increases below 5%

## 7. **Recommendations**

- 7.1 Forum is asked to note the contents of the report.

**Item 10: Dedicated Schools Grant – Early Years Block Centrally Retained Budget**  
**2025/26**

**1. Introduction**

- 1.1 The purpose of the report is to seek approval to the central spend element of the Early Years funding for 2025/26.
- 1.2 The Early Years Block forms part of the Dedicated Schools Grant (DSG).

**2. Background**

- 2.1 The Early Year's offer expanded significantly from April 2024 and further expansion is planned for 2025/26 and 2026/27.
- 2.2 Once funding levels are published for 2025/26, proposed hourly rates to providers will be reported to Schools' Forum and subsequently to Children's Services Committee for approval.
- 2.3 Ahead of presenting proposals for 2025/26 hourly rates, this report seeks approval to the centrally retained element of funding for 2025/26.
- 2.4 The final position for funding the new entitlements in 2024/25 is uncertain and this uncertainty will continue into 2025/26. Because of this, the amount allowable for central retention is uncertain. Education Skills and Funding Agency (ESFA) have delayed publishing 2025/26 funding information because of the new government. It is unlikely that there will be sufficient time should Forum not agree with the proposed percentage retention. In such a case the authority would need to apply to the Secretary of State for disapplication by mid-November 2024.
- 2.5 To manage these timescales and risks, Forum are being asked to consider their recommendation for the percentage of Early Year's centrally retained budget at this earlier stage.

**3. 2025/26 Early Years Block Funding**

- 3.1 At this stage, the best information available to estimate funding levels for 2025/26 are the current numbers of funded children.
- 3.2 Our current Early Year's funding for 2024/25 amounts to £9.795m.
- 3.3 The current regulations allow authorities to centrally retain between 3 and 5 percent of funding in order to deliver the Early Year's function. Once the new entitlements are fully embedded, ESFA are expecting to mandate 3% retention only.

- 3.4 Prior to 2024/25, Schools' Forum approved centrally retained budgets at the maximum 5% allowed by the regulations.
- 3.5 For 2024/25, the authority proposed to retain 4% of funding, with the remaining 96% being passed to providers through the hourly rate formula. This proposal was agreed by Schools' Forum.
- 3.6 Modelling for 2025/26 suggests that 3% is not yet fully affordable to fund the required service costs, however, the reduction from 5% to 4% demonstrates transition towards the future plans for a 3% maximum.

#### **4. Centrally Retained Funding**

- 4.1 For 2024/25, centrally retained budgets amount to £0.375m.
- 4.2 The centrally retained funding is currently used to:
- Support the delivery of the key priorities as outlined within the approved Early Years Strategy for Hartlepool
  - Support the costs of the early years and childcare staff team to deliver the increasingly growing early years free entitlement offer, including the Head of Service, Senior Officer – early years, Senior officer – Childcare and Early Years Assistant
  - Support the costs of the Early Years Teaching and Learning Consultant to support delivery of the Early Years Foundation Stage across provision
  - Administration of the SEN inclusion fund for low level and emerging needs
  - Support the costs of the EYES system required to administer early years that is mandated by DfE
  - Administration of the Disability Access Fund (DAF) including advice and support.
- 4.3 Should 2025/26 funding be in line with 2024/25 current volumes, 4% would equate to circa £0.392m.
- 4.4 Implementation and administration of the extended offer has necessitated additional resources in the early years and childcare staff team and development of the EYES system continues to be required as the entitlements expand in 2025/26.
- 4.5 As the value of our EYNFF increases, the need for robust budgeting and forecasting is a key priority. Further investment in tracking and projecting spend is needed to reflect the significant size of the EYNFF and the associated financial risk.
- 4.6 As the future levels of funding, participation and resource requirements continue to be uncertain at this stage, Schools' Forum are asked to approve 4% centrally retained funding in 2025/26.
- 4.7 Should the centrally retained budget return an underspend in 2025/26, the balance would be taken to DSG reserves.

## **5. Recommendation**

5.1 Forum is recommended to:

- a) note the contents of the report
- b) approve the centrally retained funding at 4% of 2025/26 block funding (once confirmed by ESFA) which is used to administer and deliver early years provision in line with legislative requirements.

**A vote is required and ALL Schools' Forum members are eligible to vote.**

**Agenda Item 11 – Schools' Capital Sub Group Membership and Terms of Reference Review**

**1. Purpose of Report**

- 1.1 The purpose of the report is to request that Schools' Forum reviews both the Schools' Capital Sub Group Membership and its Terms of Reference.

**2. Background**

- 2.1 School Forum Regulations permit Schools Forum to set up working groups of members to discuss specific issues and to produce draft advice and decisions for consideration. The group can include wider representation if Forum decide that it is appropriate.
- 2.2 However, Forum cannot delegate actual decisions or the finalisation of advice to a working group.
- 2.3 Every two years the membership and Terms of Reference of the Schools' Capital Sub Group is reviewed. The last time this was completed was in February 2021.
- 2.4 The membership of the school's Capital Sub Group, as at 31<sup>st</sup> August 2024, was as follows:

<b>Position on Sub Group</b>	<b>Name</b>	<b>School</b>	<b>Continue (Y/N)?</b>
2 x Primary School representation	Chris Connor	Fens	Yes
	Dave Turner	Rift House	TBC
Secondary School representation	Mark Tilling	High Tunstall	Yes
Special School representation	Lisa Greig	Catcote	No
2 x Academy representation	Carole Bradley	Northern Lights	TBC
	VACANT	VACANT	n/a
C of E Diocese representation	Jo Heaton	Hart & Elwick	No
RC Diocese representation	VACANT	VACANT	n/a

- 2.5 In addition to the above representatives from education establishments there is also the following Hartlepool Borough Council officers at the Schools' Capital Sub Group meetings:

- HBC Assistant Director (Education)
- HBC Assistant Director (Neighbourhoods)
- HBC Schools Capital Manager
- HBC Schools Capital Projects Officer
- HBC Schools Capital Accountant

Additional officers of Hartlepool Borough Council may also attend, by invitation, as required.

2.6 The Sub Group functions according to the Terms of Reference (ToR) outlined below:

### **Key Function**

To consider the following areas and to submit reports on the content and outcomes of its proceedings to Schools Forum where final decisions will be made.

- to propose a framework for the prioritisation and allocation of appropriate funds for schools' capital works programmes;
- to propose the allocation of funding to capital schemes in a fair and transparent manner to take into account changes in legislation, guidance and national curriculum requirements, adhering to the principles of Good Estate Management, DfE guidance documentation;
- to clarify which schools (maintained / voluntary aided / academy) can benefit from funding streams available to the Local Authority;
- to propose the commissioning of studies / surveys, when appropriate, for potential schemes to be included within the schools' capital works programme;
- to consider programmes of capital works and make recommendations to Schools Forum who in turn will pass to Children's Services Committee to inform their decisions;
- to receive reports, monitor progress / developments and expenditure of the approved programmes of capital works and
- to submit progress reports on the content and outcome of its proceedings, through its minutes and escalating key issues to the full Forum agenda.

### **Frequency of Meetings**

- The Schools Capital Sub Group will meet on a termly basis, and more frequently as required.
- A regular member should appoint a substitute to attend a meeting on their behalf, or to act on their behalf for a specified timeframe only if not able to attend in person.

## **3. Recommendations**

The Schools' Forum is asked to:

- 3.1 approve the re-appointment of those members who have agreed to carry on for a further term;
- 3.2 request volunteers for all the vacant positions;
- 3.3 approve the Terms of Reference.