

MEETING
SCHOOLS FORUM

DATE AND TIME
THURSDAY 10TH OCTOBER, 2019
AT 4.00 PM

VENUE
SARACENS HIGH SCHOOL
LANACRE AVENUE
COLINDALE
NW9 5FN
(OLD BEST HUB)

TO: MEMBERS OF SCHOOLS FORUM (Quorum 10)

Member	Member
Alexander Banks	Jude Stone
Andrew McClusky	Keith Nason
Annette Long	Lucy Harrison
Anthony Vourou	Lucy Rodgers
Curtis Sweetingham	Luke Bridges
Dr Matthew Stevens	Nigel Taylor
Gavin Smith	Robin Archibald
Gilbert Knight	Sarah Sands
Ian Kingham	Sarah Vipond
Jo Djora	Simon Horne
Joanne Kelly	Ziz Chater
John Bowra	

Councillors

David Longstaff

Substitute Members

Ian Stewart
Marc Lewis
Siobhan O'Connell

You are requested to attend the above meeting for which an agenda is attached.

Contact: School Funding Team – schoolfunding@barnet.gov.uk 020 8359 7377

ORDER OF BUSINESS

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19.	<p>Dates of future meetings</p> <p>As presented in item 17, the forward plan it is proposed to amend Schools Forum meetings to the following dates:</p> <ul style="list-style-type: none"> • Tuesday 26th November 2019 – replaces 10/12/2019 • Tuesday 10th December 2019 • Tuesday 14th January 2020 - replaces 23/1/2020 • Thursday 23rd January 2020 • Thursday 12th March 2020 • Tuesday 7th July 2020 <p>(Venues for future meetings to be confirmed)</p>	
20.	Appendix I	45 - 52

Recommendations:

i)	Recommendation - Current members are requested to confirm their continued membership unless they advise otherwise.
ii)	Recommendation – Members are requested to confirm acceptance of the latest Terms of Reference as shown in Appendix I.
iii)	Recommendation - Members are invited to propose nominees and vote at this meeting to elect the Chair and Vice-Chair of Schools Forum. The elected Chair will lead the meeting hereafter.
iv)	Recommendation - The Local Authority recommends that the changes are accepted and the Scheme is updated to reflect this. The new Scheme for Financing Schools will supersede the previous version (published March 2018) and will be circulated to all maintained schools upon agreement by Schools Forum
v)	Recommendation – Members are asked to note the council’s decision.
vi)	Recommendation – Members are recommended to approve consultation on the proposed approach to the local funding formula described above.
vii)	Recommendation - Schools Forum is asked to agree the existing split-site criteria.
viii)	Recommendation – To approve the amended Growth Fund criteria for 2020/21.
ix)	Recommendation – Schools Forum is asked to agree the figures for ongoing responsibilities in principle and to note that the revised figures will be presented to the Forum in January. And Schools Forum to agree the figure for historical commitment of £0.468 million.
x)	Recommendation – The Schools Forum is asked to approve by sector, the continuation of dedelegation of the items shown for 2020/21.
xi)	Recommendation – Schools Forum are requested to approve the proposal for 2020-21 to charge the cost of services formerly funded from the ESG to the budgets of maintained schools, but at a reduced level of £700,000.
xii)	Recommendation – Schools Forum is asked to note the MFG range for 2020/21 and the disapplication request

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1. School Forum Membership Review

1.1 The last review of membership by the Schools Forum was at the meeting in October 2014. As the balance between different categories of school may now have changed, it is appropriate to review the representation.

1.2 The representation agreed at that time was as follows:

Primary Maintained schools	11
Secondary Maintained schools	2
Primary Academies	3
Secondary Academies	6
Early Years	2
16-19 providers	1
Special Schools	2
PRUs	1
Trade Unions	1
Total	29

1.3 It is necessary to adjust the proportions of primary and secondary representations to reflect changes in pupil numbers and in the balance between maintained schools and Academies

Current pupil numbers are as follows:

Primary pupils in maintained schools:	27,807
Primary pupils in Academies and Free Schools:	5,160
Secondary pupils in maintained schools	6,047
Secondary pupils in Academies and Free Schools	19,320
Total	58,334

*Pupils attending all-through schools have been allocated to the relevant phase.

1.4 In order to minimise the number of vacancies and to enable existing members of the Forum to continue to be members, subject to expiry dates (see below), it is proposed that the total number of primary and secondary representatives on the Forum should in future be 19 instead of 22.

1.5 If this level of representation is then allocated to the different types and phase of school in proportion to pupil numbers, the representation, including current representation other than for primary and secondary schools (including all-through schools) should be as follows:

Primary Maintained schools	9
Secondary Maintained schools	2
Primary Academies	2

Secondary Academies	6
Early Years	2
16-19 providers	1
Special Schools	2
PRUs	1
Trade Unions	1
Total	26

1.6 It is proposed that all-through schools may be represented on the Forum either as a primary or as a secondary representative.

1.7 It is proposed that representatives may be headteachers or governors, provided that each category includes at least one headteacher and one governor representative (as per DfE guidance).

1.8 There are currently 23 members and the above proposal would mean there are currently just 3 vacancies:

- 1 - Secondary Maintained
- 1 - Secondary Academy or Free School
- 1 - 14-19 provider

1.9. Member of the Forum are appointed for a fixed-term. Due to a lack of nominations to fill vacancies in the past, the terms of existing members are often extended. It is proposed to regularise these arrangements in the following way:

Where a member's term of office has expired or is due to expire before the next meeting:

- Officers will write to the member to confirm that their term is expiring and to ask if they are willing to continue as a member.
- Officers will then write to the representative group to indicate there is a forthcoming vacancy and whether or not the existing member is willing to continue as a member and inviting nominations to fill the vacancy.
- If the existing member wishes to continue and there are no other nominations, the existing member's membership is extended for another term. If the existing member does not wish to continue and there is only one nomination for a vacancy, then that nominee is appointed for a term of office. If there are more nominations than vacancies, whether or not that includes the existing member, then the representative group will be asked to vote on who should represent them (with one vote per school).

i) Recommendation - Members are asked to approve the proposed changes to the membership of the Schools Forum set out above and the proposed arrangements for dealing with vacancies

2. **REVISED SCHOOLS FORUM TERMS OF REFERENCE**

2.1 Appendix I of the papers show the updated terms of reference for Schools Forum, with amendments mainly around the powers and responsibilities in relation to de-delegation, arrangements for High Needs and Early Years pupils, centrally retained budgets, treatment of DSG deficits and movement between DSG blocks.

ii) **Recommendation** – Members are requested to confirm acceptance of the latest Terms of Reference as shown in Appendix I.

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AGENDA ITEM 3

3. ELECTION OF CHAIR/ VICE CHAIR

3.1 As this is the first meeting of the new academic year, it is a requirement that members propose and elect the Chair and Vice-Chair roles for September 2019 until August 2020.

- i) **Recommendation** - Members are invited to propose nominees and vote at this meeting to elect the Chair and Vice-Chair of Schools Forum. The elected Chair will lead the meeting hereafter

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Minutes of Schools Forum

4pm, 11th July 2019

AGENDA ITEM 6

Saracens High School

Members Present:

Gilbert Knight

Keith Nason

Simon Horne

Lucy Rodgers

Alexander Banks

Nigel Taylor

Dr. Matthew Stevens

Sarah Sands

Ian Kingham

Marc Lewis (late arrival)

Officers present:

Ian Harrison

Gaspare Nicolini

Dr. Helen Phelan

Claire Gray

Councillors:

CLlr David Longstaff

Observers:

Simon Allin, Newsquest

Claire Edwards, Bursar - Saracens High School

Did not attend:

Andrew McClusky

John Bowra

Annette Long

Jude Stone

Anthony Vourou

Lucy Harrison

Curtis Sweetingham

Luke Bridges

Jack Newton

Robin Archibald

Jo Djora

Sarah Vipond

Joann Kelly

Ziz Chater

Apologies:

John Bowra, Jude Stone and Luke Bridges in advance of the meeting. SS gave apologies for Robin Archibald and Jo Djora at the meeting.

Declarations of Interest:

Keith Nason declared an interest in DSG de-delegation, as his role is part funded from the DSG. GK advised that as de-delegation is not an item on the agenda on this occasion, the declaration of interest is not relevant to discussions at this meeting.

Minutes of last meeting:

Confirmed as a true and accurate record of the meeting.

Item 6a: 2018/19 final outturn and reserve position.

As there were only 9 voting members present at this time and Schools Forum was not quorate, item 6a on 2018/19 Final outturn was deferred until a 10th voting member arrived.

Once ML arrived, GN presented item 6a giving the final 2018/19 DSG outturn and reserve position. The HN block final position improved from previous reports, due to disputed invoices from other LAs/establishments.

The Early Years block reported an underspend, but a claw back by the DfE is expected once final EY pupil numbers are adjusted.

The final position was an in-year underspend of £1.042m. The planned £0.501m call on reserves was not needed in 2018/19 and therefore total reserves carried forward to 2019/20 are £1.543m.

Members were asked to note and approve the final 2018/19 outturn position.

Agreed unanimously.

Item 6b: School balances and deficits.

GN tabled a paper showing provisional school balance and deficit positions at 31/3/2019. The figures have not been finalised and approved by the DfE, so will not be published until later in the year. Overall, school balances have increased in 2018/19 to an average of 5.9% of school revenue income. 8 schools had end of year deficits, but 4 of these were less than £25,000.

Erratum: Noam Primary school balance at 31.3.18 is incorrect, as the school was not maintained at that time and therefore balance was not known – should be zero.

There are 5 schools with licensed deficits brought forward from 2018/19, and a further 6 schools have not set balanced budgets for 2019/20 and are in discussions about licensed deficits.

SS asked if the increased level for accruals had distorted the balances. GN advised that as accounts were closed on 20th March, there should not have been significant accruals this late in the financial year and the impact on balances was not material.

GN asked if individual schools had issues they should contact schools' accountancy, providing the invoices between £1,000 and £4,999 and the LA would advise for 2019/20 account closure.

SH wanted to point out that although some schools were showing increased balances, the actions taken by schools to reduce costs and achieve this position should be acknowledged. In some cases, this has included several staff redundancies.

IH confirmed that the council acknowledges and understands the actions taken by schools to achieve savings and set balanced budgets.

KN queried whether licensed deficit requests involved cash payments to schools. GN advised that it does not necessarily require a cash transfer but is in effect approval to run in overdraft. If a cash transfer is required, it is borrowing against the credit balances held by all schools.

Item 6c: 2019/20 provisional DSG budget and s251 submission.

CG presented the item on the provisional 2019/20 DSG budget, showing the income/expenditure by block. The Schools and Central blocks are final, but the HN and EY blocks will change based on adjusted pupil numbers for Early Years, Imported/Exported High Needs pupils, and HN place recoupment.

The LA must set a balanced budget, including any brought forward reserve, so an amount of £1.543m has provisionally allocated within the HN block as this is where the cost pressures exist, although some of this may need to cover any expected EY adjustment when confirmed.

Item 6c: 2019/20 provisional DSG budget and s251 submission.

CG presented the item on the provisional 2019/20 DSG budget, showing the income/expenditure by block. The Schools and Central blocks are final, but the HN and EY blocks will change based on adjusted pupil numbers for Early Years, Imported/Exported High Needs pupils, and HN place recoupment.

The LA must set a balanced budget, including any brought forward reserve, so an amount of £1.543m has provisionally allocated within the HN block as this is where the cost pressures exist, although some of this may need to cover any expected EY adjustment when confirmed.

Item 6d: Teachers' Pay and Teachers' Pension Grants.

There has been not confirmation of continuation of the Teachers' Pay grant in 2020/21, nor specific details of the Teachers' Pension Grant covering the period September 2019 to March 2020. IK asked when the school level allocations would be confirmed and payments made. CG advised that this would be in October 2019. The LA will receive the grant and pay maintained and Special schools, the ESFA will make payments direct to academies and free schools.

Item 6e: Schools Capital programme – Specialist provision fund.

IH presented the item on use of the Specialist provision capital fund, and explained that in order to assess priorities, a needs analysis and sufficiency assessment has been undertaken and mapped to projected future needs.

Any increase in local provision is expected to achieve savings in out-Borough and independent placements, as parents will have more choice of high quality provision locally.

New ARP provision has been identified, and the needs are expected to be met by the new ARPs that opened in 2018 and the Whitefield ARP that comes online in 2019. The main shortfall in Special School provision is likely to be met by the Windmill Special Free School. However, approximately 10 additional places per year will be required before then, increasing to a total of about 40 by 2023.

There is therefore a need for temporary provision until the Windmill opens, and in case the opening is delayed. The opening of the Windmill depends on progress by the ESFA with land acquisition, planning permission and building works.

IH advised that the full consultation can be accessed on the Engage Barnet website, but Schools Forum's views are being sought on planned capital expenditure and place increases.

HP confirmed that by 2023, there should be sufficient place provision in-borough to meet need, and this would give more parental choice. She agreed that placement of SEN pupils needs to be developed and become more proactive in looking across the local system and matching provision to need.

GK commented that many pupils encounter difficulties in the transition period between Primary and Secondary placements, and that additional suitable settings may need to be provided.

HP advised that pieces of work are being undertaken identifying clear pathways for SEMH pupils, and how additional support can be given in mainstream schools to pupils with social communication rather than learning needs.

IK confirmed that there are pupils being placed in Barnet secondary special schools from mainstream primary to resolve this issue.

LR asked if interim places are given in ARPs until special provision is available, what support and resources will be provided to ARPs, and over what period.

HP advised that additional ARP places will be available in September 2019 and March 2020. and there may be a need for some children with complex needs to be placed in mainstream ARPs, until more special school places are available, but appropriate top-up funding would be allocated.

Item 6f: High Needs block 3-year projections.

Based on the needs analysis and sufficiency assessment discussed in item 6e, this paper provides the 3-year costings based on the place requirements identified. The ARP funding review is ongoing and is

intended to reflect the original intention of ARP pupils spending some of their time in mainstream classes. There is also a review of placements of complex pupils.

GK commented that the authority must work with parents to identify HN provision at an early stage. However, SH commented that conversely, several parents apply to mainstream schools rather than opt for specialist provision.

NT commented that a significant amount is spent in Independent and Non-Maintained special schools. HP agreed that these were exceptional placements based on need but are invariably high cost.

The tables in the paper show the increased expenditure based on volume increases in pupil places and numbers of EHCP pupils, as projected by the demographic projections. Some areas of savings have been identified, but it is not enough to prevent the overspend. The tables show the pressure on the HN block over the next 3-years, savings identified and the likely overspend as a result.

IH confirmed that an overspend seems likely without an additional injection of funding from the DfE. Depending on whether/ how much is forthcoming, the authority may have to request a 0.5% transfer from the Schools block to the High Needs block for the 2020/21 financial year.

Item 6g: DfE consultation and call for evidence.

HP advised members that the DfE has opened a consultation and call for evidence as part of a review of pressures on the HN budgets reported by most authorities. Members are invited to respond.

Item 7a: Proposed revisions to the Scheme for Financing Schools.

GN reported to Schools Forum that there are some changes to the Scheme for Financing Schools that will be consulted on in the autumn term. The main changes are directed by the DfE, but other changes proposed by the authority are around clarification on capital expenditure time limits being met before any revenue to capital movements; also, formalisation of arrangements for licensed deficits; and clearer guidance on redundancy/ early retirement criteria.

GN confirmed that the authority will provide Headteacher/ Bursar training or workshops on the changes. KN suggested that these should also be offered to governors. GN confirmed that governors would also be invited to any events.

Item 7b: Schools Improvement Grant, 2019/20 and 2020/21 proposals.

As the DfE has continued the School Improvement Grant for September 2019 to March 2020, and as discussed at the meeting in October 2018, the full amount of de-delegated funding by maintained school will not be required to support the LNI service for 2019/20. As the authority is unable to reimburse maintained schools in-year, any underspend in SI will be rolled forward and used to offset the de-delegation requested from maintained schools for the service in 2020/21.

Item 7c: 2020/21 National Funding Formula.

CG advised members that there have not been any significant announcements regarding the National Funding Formula proposals. 2020/21 will still be a 'soft' formula, giving authorities some discretion over factors used in their local formula. Barnet proposed to continue to move towards implementation of the NFF, but with additional protection provided by a more generous Minimum Funding Guarantee if affordable. The funding formula, MFG and cap will be subject to consultation with all schools next term.

It is not known whether the government will continue to provide additional High Needs funding as it did in 2018/19 and 2019/20, as this is pending the spending review and SEN call for evidence. Depending on the level of any additional amount allocated in the HN block and the expected pressures on the HN block discussed previously, Barnet may need to request a transfer of up to 0.5% of the Schools' Block to the HN block for 2020/21.

The authority may also need to consult with maintained primary and secondary schools on proposals to continue to fund former Education Services Grant services from the Dedicated Schools Grant. The Secretary of State approved this in 2019/20, and given the council's loss of £2.8m in ESG, the council is likely to make the request for further funding from maintained schools for the affected central services for 2020/21. This would also be subject to consultation in the autumn term.

Item 8: AOB.

None.

Item 9: Agenda for next meeting.

Agreed as shown.

Item 10: Dates of future meetings.

~~Thursday, 3rd~~ October 2019 – to be rescheduled

(same date as Headteachers Residential conference)

Tuesday, 10th December 2019

Thursday, 12th March 2020

Tuesday, 7th July 2020

8. 2019/20 DSG and Budget Monitoring

AGENDA ITEM 8

In July 2019, the DfE produced revised DSG allocations using actual census numbers for the Schools and Central Blocks, and January 2019 Early Years pupil numbers. The High Needs block was also corrected as a result of revised recoupment figures for direct funding of places, and adjusted import/export pupil numbers. The impact of these changes on the overall (gross) DSG is shown below:

	July 2019 Schools Forum (Gross)	July 2019 - Recoupment	July 2019 Schools Forum (Net)		October 2019 Schools Forum	October 2019 - Recoupment	October 2019 Schools Forum (Net)
	£ million				£ million		
Schools Block	254.190	-110.625	143.565		254.863	-110.850	144.013
Central	2.177	0.000	2.177		2.183	0.000	2.183
Early Years	29.051	0.000	29.051		28.928	0.000	28.928
High Needs	49.977	-4.867	45.110		50.052	-4.707	45.345
DSG Income	335.395	-115.492	219.903		336.026	-115.557	220.469
2018/19 B/fwd	1.543	0.000	1.543		1.543	0.000	1.543
Total DSG	336.938	-115.492	221.446		337.569	-115.557	222.012

The adjustments to Barnet's previous DSG allocation are as follows:

Schools Block	+£0.673m	Additional growth/ pupil numbers
Central Block	+£0.006m	Additional pupil numbers
Early Years Block	-£0.123m	Lower EY pupil numbers on January 2019 census
High Needs Block	+£0.075m	Adjusted HN recoupment and corrected import/export pupil numbers
TOTAL movement	+£0.631m	

However, there will be a further adjustment to the DSG as a result of recoupment for ARK Pioneer Academy during the autumn term, which will increase the recoupment adjustment by £0.606m.

In light of the updated DSG allocation, the block expenditure budgets have been realigned to match income. The M5 forecast position is now:

Block	Budget @ M5	M5 Forecast	Variance	Comments
	£m			
Schools	144.013	142.248	-1.765	Further recoupment adjustment Growth fund underspend School Improvement de-delegation underspend
Central	2.183	2.183	0	Spend to budget
Early Years	28.928	28.928	0	Spend to budget
High Needs	**46.888	48.059	+1.171	HN overspend
TOTAL	222.012	221.418	-0.594	

**2018/19 b/fwd reserves currently held in HN block.

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1. Introduction

- 1.1. Issue 10 of statutory guidance from the Department for Education (DfE) for local authorities on schemes for financing schools was published on 5 February 2019. It relates to Section 48 of the School Standards and Framework Act 1998, and Schedule 14 to the Act.
- 1.2. Local Authorities are required to publish schemes for financing schools setting out the financial relationship between them and the schools they maintain. This guidance lists the provisions which a local authority's scheme must, should or may include. Schemes need not follow the format used in the published guidance.
- 1.3. In making any changes to their schemes, Local Authorities must consult all maintained schools in their area and receive the approval of the members of their Schools forum representing maintained schools. Local authorities must take this guidance into account when they revise their schemes, in consultation with the Schools Forum.
- 1.4. In line with the above, this report follows on from report 7a presented to the Schools Forum in July 2019. That report outlined changes the LA wished to make to the Scheme of Finance, and announced a consultation with schools which ended 30th September.

2. Directed Revisions

- 2.1. As also detailed in the report 7a presented to the Schools forum in July, a list of the revision made by the Local Authority has been presented below.

Efficiency and value for money (Section 2.9)

- 2.2. The scheme must include the following provision, which imposes a requirement on schools to achieve efficiencies and value for money, to optimise their resources and invest in teaching and learning, taking into account the purchasing, tendering and contracting requirements.
- 2.3. Schools must seek to achieve efficiencies and value for money, to optimise the use of their resources and to invest in teaching and learning, taking into account the authority's purchasing, tendering and contracting requirements.
- 2.4. It is for heads and governors to determine at school level how to secure better value for money. There are significant variations in efficiency between similar schools, and so it is important for schools to review their current expenditure, compare it to other schools and think about how to make improvements.

Schools financial value standard (SFVS) (Section 2.23)

- 2.5. All local authority maintained schools, including nursery schools and pupil referral units (PRUs), that have a delegated budget) must demonstrate compliance with the SFVS and complete the assessment form on an annual basis. It is for the school to determine at which time of the year they wish to complete the form.
- 2.6. Governors must demonstrate compliance through the submission of the SFVS assessment form signed by the chair of governors. The form must include a summary of remedial actions with a clear timetable, ensuring that each action has a specified deadline and an agreed owner. Governors must monitor the progress of these actions to ensure that all actions are cleared within specified deadlines.

Fraud (Section 2.24)

- 2.7. All schools must have a robust system of controls to safeguard themselves against fraudulent or improper use of public money and assets.
- 2.8. The governing body and head teacher must inform all staff of school policies and procedures related to fraud and theft, the controls in place to prevent them and the consequences of breaching those controls. This information must also be included in the induction for new school staff and governors.
- 2.9. Following consultation, the Secretary of State directs that from 19 August 2015 the text below shall be incorporated into the schemes of all local authorities in England

Register of business interests (Section 2.14)

- 2.10. The scheme must contain a provision which requires the governing body of each maintained school to have a register which lists for each member of the governing body and the head teacher:
 - any business interests that they or any member of their immediate family have
 - details of any other educational establishments that they govern; and
 - any relationships between school staff and members of the governing body
- 2.11. And to keep the register up to date with notification of changes and through annual review of entries, to make the register available for inspection by governors, staff and parents, and the authority, and to publish the register, for example on a publicly accessible website.

Borrowing by Schools (Section 3.7)

- 2.12. The scheme should contain a provision reminding schools that governing bodies may borrow money (which includes the use of finance leases) only with the written permission of the Secretary of State. The Secretary of State's general position is that schools will only be granted permission for borrowing in exceptional circumstances.
- 2.13. From time to time, however, the Secretary of State may introduce limited schemes in order to meet broader policy objectives. The scheme must contain a provision that allows schools to use any scheme that the Secretary of State has said is available to schools without specific approval, currently including the Salix scheme, which is designed to support energy saving.
- 2.14. Following consultation, the Secretary of State directs that from 22 March 2018 the text below shall be incorporated into the schemes of all local authorities in England.

Loan schemes (Section 4.10)

- 2.15. Loans will only be used to assist schools in spreading the cost over more than one year of large one-off individual items of a capital nature that have a benefit to the school lasting more than one financial or academic year.
- 2.16. Loans will not be used as a means of funding a deficit that has arisen because a school's recurrent costs exceed its current income.
- 2.17. If loans are made to fund a deficit and a school subsequently converts to academy status, the Secretary of State will consider using the power under paragraph 13(4)(d) of Schedule 1 to the Academies Act 2010 to make a direction to the effect that such a loan does not transfer, either in full or part, to the new academy school.

3. Key changes from Issue 9 (published March 2018) of this guidance:

- 3.1. Section 1.1: removed advice that each school must receive a copy of each year's budget and outturn statements so far as they relate to that school or central expenditure.
- 3.2. Paragraph 1.1.13: removed advice that an authority must publish a statement showing outturn expenditure "at both central level and for each school, and balances held in respect of each school".
- 3.3. Paragraph 1.5.3: added "It is also possible for the Secretary of State to make directed revisions to schemes after consultation. Such revisions become part of the scheme from the date of the direction".
- 3.4. Paragraph 2.4.2: added "The scheme should encourage schools to register anything that is portable and attractive, such as a camera".
- 3.5. Section 2.9: changed title from "Efficiency and Value for Money" to "School Resource Management".

- 3.6. Paragraph 2.9.1: changed wording, including a change from “achieve efficiencies” to “effective management of resources”.
- 3.7. Section 2.15: removed “A scheme may invite schools to nominate suppliers for inclusion on lists of approved suppliers. The intention is to ensure that schools do not have to be subjected to unreasonable requirements as to authority counter-signature or use of an approved list, but also ensures that they should obtain at least three tenders or quotations for orders above a certain threshold”.
- 3.8. Section 2.15: removed “Authorities may issue lists of approved suppliers; but schools must not be compelled either directly or indirectly to use them. Authorities may wish to point out the advantages of using lists of approved suppliers, eg assurance on health and safety issues”
- 3.9. Paragraph 2.15.4: added “Schools may seek advice on a range of compliant deals via Buying for schools”.
- 3.10. Paragraph 2.19.5: removed generic references to legislation “School Premises Regulations and DfE Construction Standards, and health and safety legislation”, added references to specific legislation
- 3.11. Paragraph 2.23.3: removed advice that all local authorities with a delegated budget must submit the schools financial value standard form before 31 March 2013 and annually thereafter; replaced with advice that the form should be submitted before the end of the financial year.
- 3.12. Paragraph 3.7.4: added “Schemes may also wish to permit the use of credit or charge cards. However, no interest charges should be incurred by the school, with balances fully cleared on a monthly basis. The LA may charge Schools using credit or charge, an administration fee”.
- 3.13. Paragraph 5.2.3: added “However, where land is held by a charitable trust, it will be for the school’s trustees to determine the use of any income generated by the land”.
- 3.14. Paragraph 6.3.2: changed “Other expenditure incurred to secure resignations where the school had not followed authority advice” to “Other expenditure incurred to secure resignations where there is good reason to charge this to the school (see Annex D)”
- 3.15. Paragraph 8.1.2: changed to explain the scheme should contain a provision barring the authority from discriminating in its provision of services on the basis of categories of schools, except in cases where this would be allowable under the school and early years finance regulations or the dedicated schools grant (DSG) conditions of grant.
- 3.16. Paragraph 8.2.1: clarification provided on provisions to limit the term of agreement with a school to buy services or facilities from the authority.

- 3.17. Paragraph 8.4.1: revised quoted legislation and updated expectation of monthly not annual returns.
- 3.18. Paragraph 10.1: added “The evidence required to demonstrate the parity of cover should be reasonable, not place an undue burden upon the school, nor act as a barrier to the school exercising their choice of supplier”.
- 3.19. Section 13.2.1: updated to reflect changes to the Children and Families Act 2014; a school is no longer required to consult before establishing community facilities, and there is no longer a need for a school to be mindful of a local authority’s advice, under section 27 of the Education Act 2002.
- 3.20. Paragraph 13.8.2: changed “Criminal Records Bureau” to “Disclosure Barring service”

4. Other Key changes:

- 4.1. Section 3.1: Frequency of instalments as detailed under 3.1.2. Transitional arrangements for 2019/20.
- 4.2. Section 3.2: Proportion of budget share payable at each instalment, where payroll is carried out by the LA (3.2.1 and 3.2.2)
- 4.3. Section 4.9: Clarification on Licensed Deficit arrangements, including cash advances where schools are experiencing cash flow difficulties (4.9.2); evidence of proper planning (4.9.9)
- 4.4. Section 6.3: Charges to budget shares, to include ‘remedial work in building work’(6.3.5)
- 4.5. Section 12.1: Delegation of funding to clarify the priority of DFC (12.1.3) in financing capital expenditure at Schools. Further exemplifications of repairs and maintenance and capital expenditure at Annex B.
- 4.6. Section 12.2: Definition of Capital, LA to issue guidance on capitalisation (12.2.2)
- 4.7. Section 12.3: School responsibilities for Repairs and Maintenance (12.3.1 and 12.3.2) where schools do not meet their duties.
- 4.8. Annex D: DfE Guidance on Responsibility for Redundancy/Early Retirement Costs

5. Consultation Responses

- 5.1. The consultation was published via the School Circular newsletter on 4th September 2019. A reminder regarding the consultation was sent to Heads by email on September 26th. Unfortunately, the LA received no responses to the consultation. We believe this highlights a training need for Heads, Governors and School Business Managers regarding the Scheme for Financing Schools and the important role it has in outlining the relationship between the schools and the Local Authority. The LA will run training sessions upon launch of the new Scheme in Nov/Dec.

iv) Recommendation - The Local Authority recommends that the changes are accepted and the Scheme is updated to reflect this. The new Scheme for Financing Schools will supersede the previous version (published March 2018) and will be circulated to all maintained schools upon agreement by Schools Forum

9 Consultation Response to Sickness Absence and Maternity Leave Pooling Arrangements

AGENDA ITEM 10

1. Introduction

- 1.1. The Local Authority (LA) consulted on changes to the Sickness Absence and Maternity Leave Pooling Arrangements. The consultation was published on 4th September 2019 and the deadline for responses was 30th September 2019.
- 1.2. The proposal from the LA was to cease these arrangements with effect from 1 April 2020 or fully recover administration costs of £30,000 p.a., where maintained schools who choose to participate are required to contribute for at least two years. This would allow the LA to employ a resource.

2. Background and context

- 2.1. At the time of inception of sickness absence and maternity leave schemes there was no external market or providers. However, there are now many specialist providers in the market able to offer an enhanced product.
- 2.2. The current arrangements have evolved over time. Originally these schemes were funded via a central dedicated schools budget and later through de-delegation. Risk was shared with all maintained schools. There is a current administration charge of £5,000 per annum, charged across participating institutions in proportion to contributions.
- 2.3. The pooling arrangements were initially set up at the request of schools to share the risk of additional costs when there is sickness or maternity absence.
- 2.4. The Authority is not legally obliged to provide any pooling arrangement or scheme.
- 2.5. Under the current arrangements, schools and children centres are required to contribute at a published rate per the FTE (Full Time Equivalent) of their staffing establishments at the beginning of the financial year. Claims are usually settled termly in arrears. The final balance of the pool is returned in proportion to contributions if in surplus. Should there be a deficit, schools are billed to cover the shortfall.
- 2.6. The scheme requires significant administration (£30,000 p.a.) which is currently not recovered through charges. If the scheme continues then the administration cost will be added to the current annual charge. The marginal cost of administration per FTE member of staff will increase as the total number of FTE of participants falls.

FTEs	Administration charge per FTE
400	£75
200	£150
100	£300

- 2.7. In 2017/18, there were 76 participants contributing £1.203m of which 46 were net contributors. In 2018/19, pooled contributions were £1.123m with 69 participants, of which 35 were net contributors. So far in 2019-20 there are 59 participants. Net contributors are defined as those schools who have contributed more to the pool, than have claimed.
- 2.8. As more schools purchase cover from external providers, the number of contributing schools will decrease, leading to significantly higher contribution rates per FTE as the number of schools in the pool falls.
- 2.9. Premiums to external providers should be relatively stable and should enable better planning at schools.
- 2.10. All claims for financial year 1 April 2019 to 31 March 2020 will be processed. Schools may wish to start making enquiries about alternative cover well ahead of the start of the new financial year.

3. Proposals

- 3.1. **Either** close the scheme from 1 April 2020;
- 3.2. **Or** continue with the arrangement, fully recovering the additional costs to employ an administration assistant on a 2-year fixed contract, and where maintained schools who choose to participate, will be required to commit to contributing to the scheme for a minimum of 2 years”.
- 3.3. **And** as the scheme is not available for academies, any school converting, will be required to pay the administration costs for the remaining term of the agreement, but will not participate in the scheme thereafter

4. Responses to consultations

- 4.1. The consultation was published on 4th September and the deadline for responses was 30th September. Heads were reminded about the consultation by email on 26th September.
- 4.2. The LA received 3 responses from schools regarding the Sickness absence and Maternity Leave Pooling arrangements. All 3 responses were in favour of accepting the new funding structure and keeping the scheme.
- 4.3. The Local Authority will not be able to recover its costs based on the contributions from just 3 schools, therefore it will discontinue the Sickness Absence and Maternity Leave Pooling Arrangements from 1st April 2020.

v) Recommendation – Members are asked to note the council’s decision.

10 – Local funding formula for 2020/21

During October/November 2017, schools were consulted on the introduction of the National Funding Formula and local Barnet proposals. In line with the majority view expressed by schools, the Schools Forum agreed in December 2017 to adopt option 2, which stated that the National Funding Formula factors should be used from 2018/19 but with additional protection (a phased introduction of the NFF in 2018/19 using the MFG in order to make the formula affordable).

This was implemented for 2018/19 and again for 2019/20. It is proposed to consult schools again on a proposal to continue with this approach, and to set the Minimum Funding Guarantee at +1.85% (the uplift in schools block funding indicated by the DfE) or better if the DSG allocation and growth requirements mean this is affordable.

It will not be possible to estimate the level of MFG that can be afforded or the level of capping that will be necessary until the council has received details of its National Funding Formula allocations from the ESFA later this month. However, once those details are available it is hoped that illustrative allocations to schools, using the formula and the level of MFG that is affordable, can be circulated to schools as part of the consultation.

vi) Recommendation – Members are recommended to approve consultation on the proposed approach to the local funding formula described above.

2020/21 Funding Formula – announcements

Announcement:

- Pledge to ensure every secondary school will receive a minimum of £5,000 per pupil in 2020/21, primary schools will get a minimum of £4,000 per pupil from 2021/22 (£3,750 in 2020/21)
- Per pupil funding for all schools can rise at least in line with inflation
- The government intends to progress the implementation of the National Funding Formula (NFF) delivering gains for areas which have been historically under-funded
- £66m increase in national Early Years funding
- Funding announcement is in addition to the £1.5bn per year in the Teachers' Pension Grant.
- R – Y11 funding in 2020/21 will increase by £2.6bn, but this includes the £700m for SEND pupils, so net increase £1.9bn through the funding formula

Impact – cash/real terms

In Barnet, all except 1 Secondary school received more than £5,000 per pupil in 2019/20, so gains under this proposal are not expected. It is expected that the calculation for this will be the minimum funding level per pupil, **not the AWPU**.

For 2021/22, primary schools are due to receive a minimum of £4,000 per pupil (£3,750 per pupil in 2020/21). Once again, the clear majority of Barnet primary schools received in excess of this amount in 2019/20, so there will be a limited number of gainers, and those that do will not be significant. The methodology for calculating the minimum funding per pupil has not yet been confirmed, but our

estimates are that around 40 schools may be affected but the amounts of uplift are not significant as most of these are currently funded very close to the £3,750 per pupil level.

Average impact per school

As a result of the comments above, we expect to only receive an increase in school-level funding in line with inflation. Whether this is RPI or CPI has not been confirmed, nor the date at which the inflation measure will be applied.

Local authority Primary Units of Funding (PUF) and Secondary Units of Funding (SUF) are due to be published in October. These are used to calculate the Schools Block element of the Dedicated Schools Grant.

Impact on the HN block

£700m increase in 2020/21 is higher than the increased allocation received in Barnet in 2018/19 and 2019/20. As the HN block is formula based, we do not know how this will be distributed. We await further details.

Impact on EY funding

Currently a national formula and expected to continue. If £66m is the increase solely for 2020/21, this is an increase of 1.83% over the national EY block total. This may result in an increase to £6.03 per hour received by the authority (from existing £5.93). Details of whether all the increase must be passed onto providers is not confirmed – it will depend on the level of the pass-through rate is confirmed. We await further details.

1. Split Sites

- 1.1 **Split Sites** is an optional factor under the National Funding Formula. Its purpose is to compensate schools for unavoidable additional costs where schools operate on more than one site. For example, extra costs may arise, where, sites are physically separated by roads or there are remote playing fields or students and teachers must move from site to site daily.
- 1.2 Allocations must be based on objective criteria for the definition of a split site, and for how much is paid. Schools sharing facilities, federated schools and schools with remote sixth forms or remote early years provision are not eligible for split site funding.
- 1.3 The current split site criteria for LB of Barnet is shown below. It is not proposed to change this for 2020-21.

Split-site funding:

“School buildings on split-sites are funded as follows (excludes sports and play areas, premises used for nurseries and sixth forms only and all-through schools where each site is used solely for either primary or secondary phases):

- *The funding rate for a school on a split site is currently £29,958 (primary) or £99,412 (secondary).*
- *All through schools receive the primary split site allocation (£29,958) if they have primary year groups on more than one site, and £19,882 per secondary year group (£99,412/5) located across more than one site This is increased by part year fractions as schools expand across sites.*
- *Secondary schools on split sites also receive an allowance for staff travel between sites, depending on how far apart the two sites are. The rate is £53,492. If the buildings are very close and simply separated by a public road this rate is multiplied by 0.2 (less than 1 mile apart). If more than 1 mile apart the multiplier is 1.4.”*

2. Growth Fund

- 1.1 The Growth Fund can only be used only to;
- Support growth in pre-16 pupil numbers to meet basic need
 - Support additional classes to meet infant class size regulation
 - Meet the costs of new schools
- 1.2 Local Authorities (LAs) are responsible for funding the growth needs of all their schools in their area, including new and existing maintained schools and academies. LAs must fund growth needs to all schools on the same criteria, and Schools Forum is required to approve that criteria.

1.3 The costs of new schools will include the lead-in costs and will also include post start up and diseconomy of scale costs. Growth Fund support should also be provided where academies are opened to meet basic need.

1.4 The current growth criteria for LB of Barnet is shown below. It is not proposed to change this for 2020-21

1.5 Schools Forum is also required to approve the size of the Growth Fund. However, this will not be finalised until the Dedicated Schools Grant has been announced in December 2019. The final Growth Fund amount will be presented for approval at Schools Forum in January 2020.

1.6 Growth:

- *Bulge classes opened at the request of the local authority - £10,000 one-off start-up grant plus £48,000 for a primary class of 30 opening in September £61,000 for a secondary class of 30 opening in September*
- *Permanent expansions approved by the local authority - £48,000 for a primary class of 30 opening in September, £61,000 for a secondary class of 30 opening in September*
- *Independent schools transferring to VA status - Allocation based on funding formula prorata for months open, based on previous actual pupils on roll, plus permanent expansion funding if appropriate*
- *Newly established schools for which the LA is responsible to provide start-up up funding - Start-up funding of £220,000 primary/ £300,000 secondary in LA financial year of opening.*
- *New school phases (expansions to All-through status): New phase start-up funding of £50,000 primary/ £90,000 secondary in LA financial year of opening.*
- *Diseconomies of scale funding will be available to new basic needs academies and maintained schools opening new phases until there are pupils in every year group. No diseconomies of scale funding will be available to independent schools which become maintained. Diseconomies of scale per empty year group, paid from year after opening until pupils in all year groups. Academies are paid these rates in the current financial year with a further 5/12ths payment to cover the full academic year.*

i) **Action** – Schools Forum is asked to agree the existing split-site criteria and

ii) **Action** – To approve the existing Growth Fund criteria for 2020/21

12 2020/21 Central Block items – agreement line by line

AGENDA ITEM 13

1. Introduction

- 1.1 The Central Schools Services Block (CSSB) is formulated to cover both historic commitments and ongoing responsibilities. The former are fixed amounts committed in 2012/13 and cannot be increased under the National Funding Formula. The Department for Education (DfE) expects that historical commitments will reduce over time and have indicated that there will be a revised basis in assessing allocations for these from 2020/21.
- 1.2 On-going responsibilities includes funding for duties for all pupils within the Local Authority (LA) boundary, Admissions and Appeals, Schools Forum administration and Copyright Licensing
- 1.3 Schools Forum is required to approve Central Services Block amounts, except for Copyright Licensing, which is negotiated on behalf of all LAs by the DfE and informed separately. The DfE will publish indicative allocations in October 2019 and final amounts for this block will be confirmed in December 2019. Schools Forum will be updated in January 2019 on final allocations for its approval.
- 1.4 The historical commitment for 2019/20 will remain the same for 2020/21, however the calculation of ongoing responsibilities is going to be based on pupil numbers in the October 2019 census.
- 1.5 In 2019-20, the CSSB is £2.177m comprising a historical commitment to Combined Budgets of £0.468 million and ongoing responsibilities of £1.709m for:

Schools Admissions:	£0.401m
Schools Forum Administration:	£0.035m
Copyright Licensing:	£0.377m
Retained Duties for all pupils:	£0.896m

ix) Recommendation – Schools Forum is asked to agree the figures for ongoing responsibilities in principle and to note that the revised figures will be presented to the Forum in January.

And

Schools Forum to agree the figure for historical commitment of £0.468 million.

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14. 2020/21 De-delegation items – agreement by sector

1. Introduction

- 1.1 The Local Authority (LA) is required to consult the primary and secondary maintained school representatives on the Schools Forum every year about de-delegation of many centrally-held budgets. De-delegated funds are a deduction from maintained schools' budget shares, after calculation of Schools Block allocations. De-delegation can only apply to maintained primary and secondary school budgets. Academies, free schools, special schools, PRUs and nurseries cannot de-delegate. However, they can choose to buy into the same de-delegated services on traded arrangement, at an agreed per pupil rate or in the case of special schools and PRUs, by a per place amount.
- 1.2 Decisions on De-delegation must be taken at the Schools Forum by primary and secondary sector representatives separately, every financial year. It requires the agreement of a simple majority of the maintained representatives for the relevant phase on the Schools Forum on a recommended per pupil basis
- 1.3 De-delegated budgets can change within the financial year, decreasing when schools convert to academies, but rising if maintained schools expand, or independent schools join the maintained sector.

1.4 Summary Table:

De-Delegated Services	2020/21		2019/20	
	Primary	Secondary	Primary	Secondary
	£ per pupil	£ per pupil	£ per pupil	£ per pupil
Behaviour Support	3.01	0.00	3.01	0.00
Narrowing the Gap	9.55	16.34	9.55	16.34
Trade Union Duties	1.66	1.02	1.66	1.02
Additional Schools Improvement Service	4.06	2.10	11.28	5.83
Option 1 : Schools Contingency	2.00	2.00	2.00	2.00
Option 2 : Schools Contingency plus Schools in Financial Difficulty	8.63	8.63	0.00	0.00

- 1.5 For the 2020-21 financial year, the LA is requesting the following existing de-delegation items from 2019-20 at the following per pupil rates:

- 1.5.1 The **Behaviour Support** budget funds the high incidence support team's (HIST) work with maintained primary schools and the de-delegation rate is proposed to remain unchanged at **£3.01 per pupil**
- 1.5.2 Work on **narrowing the gap** with maintained schools is funded by the de-delegation from those schools. The de-delegation rates are proposed to remain unchanged at **£9.55 (Primary) and £16.34 (Secondary) per pupil**, based on FSM Ever 6 pupil numbers

1.5.3 Staff costs for **trade union duties** funds the salaries of officials of the various unions representing staff in maintained schools. The budget is supplemented by income from a traded service that enables academies to contribute to these costs. The de-delegation rates are proposed to remain unchanged at **£1.66 (Primary) and £1.02 (Secondary) per pupil**.

1.5.4 For **Additional Schools Improvement Service**, it is proposed to have reduced rates of **£4.06 per Primary pupil and £2.10 per Secondary pupil**. This funding will be used to support the Learning Network Inspector Team to carry out the following core statutory functions

- Monitoring maintained schools to identify those that may require intervention
- Intervening in underperforming maintained schools
- Commissioning of support for schools subject to intervention

1.5.5 The centrally held **School contingency** is held for circumstances which were unforeseen when the school's budget share was initially determined; an example of the use of contingencies would be the funding of additional **NNDR (business rate) costs** following a re-valuation. It is proposed that the de-delegation rates for 2020-21 remain at **£2.00 per pupil for both Primary and Secondary school** OR **£8.63 per pupil for both Primary and Secondary** to give an additional £200,000 to support schools in financial difficulty; redundancies.

i) **Recommendation** – The Schools Forum is asked to approve by sector, the continuation of de-delegation of the following items for 2020/21.

De-delegation	£ per pupil	Primary	Secondary
Behaviour Support	£3.01	yes/no/abstain	
Narrowing the Gap	£9.55 (primary) £16.34 (secondary)	yes/no/abstain	yes/no/abstain
Trade Union Duties	£1.66 (primary) £1.02 (secondary)	yes/no/abstain	yes/no/abstain
Additional School Improvement Services	£4.06 (primary) £2.10 (secondary)	yes/no/abstain	yes/no/abstain
Option 1: School Contingency OR	£2.00	yes/no/abstain	yes/no/abstain
Option 2: School Contingency plus Schools in Financial Difficulty; redundancy	£8.63	yes/no/abstain	yes/no/abstain

Primary and secondary representatives of maintained mainstream schools are required to vote individually on each budget.

15. Proposal to fund services, previously funded from the ESG, from maintained school budget shares

1. Proposal

- 1.1 The council proposes to ask the maintained schools' representatives on the Schools Forum to agree that some services, previously funded from the Education Services Grant, should continue to be funded from the budget shares of maintained primary and secondary schools.
- 1.2 The council made, and consulted schools, on a similar proposal last year. Most schools were against the proposal and the Schools Forum then rejected it. The council then referred the matter to the Secretary of State, who approved the proposal. The council subsequently charged £1m of the cost of services formerly funded from the ESG to the budgets of maintained schools
- 1.3 The proposal for 2020-21 is once again to charge the cost of services formerly funded from the ESG to the budgets of maintained schools, but at a reduced level of £700,000, a reduction of £300,000. Part of this reduction, £200,000, relates to redundancy costs and is offset by a proposal to increase dedelegated provision for contingencies by the same amount. This is explained in 14 of this agenda (dedelegation). The other £100,000 of reduction is the result of efficiency savings, resulting in reduced local authority costs.
- 1.4 The services and the total amount to be funded under this proposal are set out in the table in section 2.7 below. In summary, these are:
 - Statutory and regulatory duties
 - Asset management
 - Monitoring national curriculum assessments
- 1.5 It is proposed to consult maintained primary and secondary schools on this proposal before the Schools Forum is asked to make its decision at a special meeting in late November.

2. Background

- 2.1 The ESG proposal is a consequence of the removal of Education Services Grant from the council. The council lost £2.8m of funding of statutory services to maintained schools, of which £300,000 related to school improvement services.
- 2.2 The Education Services Grant was additional funding given to academies and local authorities until 2016-17 for services such as school improvement, education welfare services, asset management and strategic planning.
- 2.3 The DfE has allocated funding towards school improvement functions through a special school improvement grant for the last two years. This will be discussed in more detail in section 14 of this agenda (dedelegation).
- 2.4 The General Fund element of the ESG related to local authority statutory duties in respect of maintained schools (£2.8m for Barnet in 2016-17) and to services to maintained schools only (community and voluntary-aided schools, not Academies or Free Schools).
- 2.5 Government guidance has made clear that councils may request retention of a share of maintained school budgets to cover the loss of ESG income. Across the country a significant

number of local authorities have sought agreement from their Schools Forum for services previously funded from the Education Services Grant to be funded from the budget shares of maintained primary and secondary schools and have secured agreement.

2.6 The proposal will mean that the council can continue to provide the statutory services to maintained schools without having to make further cuts to other front-line services that have already faced significant budget reductions. The council needs to charge the proposed total amount to maintained school budgets in order to maintain a central education function. The council cannot legally stop providing these services. They all relate to statutory duties.

2.7 The following table sets out the LA responsibilities for maintained schools only and the estimated expenditure in 2019-20 and 2020-21:

Statutory and regulatory duties - S.251 category 1.6.4	£ in 2020-21	£ in 2019-20
Budgeting and accounting functions relating to maintained schools (Sch 2, 74)		
Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Sch 2, 59)		
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)		
Functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Sch 2, 61)		
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)		
Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 2, 76)		
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)		
Consultation costs relating to staffing (Sch 2, 67)		
Compliance with duties under Health and Safety at Work Act (Sch 2, 68)		
Provision of information to or at the request of the Crown relating to schools (Sch 2, 69)		
Functions under the Equality Act 2010 (Sch 2, 71)		
Establish and maintaining computer systems, including data storage (Sch 2, 72)		
Appointment of governors (Sch 2, 73)		
Total expenditure on statutory and regulatory duties	£550,000*	£650,000

Asset management - S.251 category 1.6.3	£ in 2020-21	£ in 2019-20
General landlord duties for all maintained schools (Sch 2, 77a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have: <ul style="list-style-type: none"> • appropriate facilities for pupils and staff (including medical and accommodation) • the ability to sustain appropriate loads • reasonable weather resistance • safe escape routes • appropriate acoustic levels • lighting, heating and ventilation which meets the required standards • adequate water supplies and drainage • playing fields of the appropriate standards General health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc. Act 1974) Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012)		
Total expenditure on asset management	£125,000	£125,000
Premature retirement and redundancy – S.251 category 1.6.5		
Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 2, 78)	0**	£200,000
Monitoring national curriculum assessment - S.251 category 1.6.6	£ in 2020-21	£ in 2019-20
Monitoring of National Curriculum assessments (Sch 2, 75)	£25,000	£25,000
TOTAL	£700,000	£1,000,000

*£100,000 reduction due to efficiency savings

**£200,000 reduction – proposal to fund this from DSG contingency provision instead.

3. Impact on individual school budgets

- 3.1 The proposal, if approved, would mean a deduction from the budgets of maintained primary and secondary schools of approximately **£23.22 per pupil** based on 2019/20 pupil numbers. (The per pupil deduction rate will be finalised once pupil census numbers for 2020/21 are known).

xi) Recommendation – Schools Forum are requested to approve the proposal for 2020/21 to charge the cost of services formerly funded from the ESG to the budgets of maintained schools, but at a reduced level of £700,000.

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1. Minimum Funding Guarantee(MFG) and Disapplication

- 1.1 The Department for Education (DfE) have confirmed Local Authorities (LAs) will still be able to set a pre-16 MFG in their local funding formula. This provides protection from excessive year on year changes and significant variations in pupil characteristics. As in previous years, the MFG calculation is based on a comparison of per pupil funding between 2020/21 and 2019/20.
- 1.2 LAs will need to consult with Schools Forum on setting the MFG percentage. For 2020/21, the DfE have stipulated that LAs can only set MFG in the range of +0.5% to +1.84% per pupil funding. LAs can still cap and scale gains to make allocations affordable. However, capping cannot be less than the MFG percentage set in the local formula.
- 1.3 Exceptionally, LAs may request to disapply the calculation of MFG protection in certain circumstances. In 2019/20, LB of Barnet requested MFG disapplication for three schools; St Mary's and St John's, London Academy and Wren Academy. These schools are expanding from either primary to all-through (SMSJ) or secondary to all-through). As a result of this, St Mary's and St John's minimum funding guarantee is based on its historic primary pupil level, and therefore they do not gain full benefit of secondary pupil funding. Conversely, London and Wren academies would be protected by their secondary pupil minimum funding levels which is out of line with primary pupil minimum funding in other schools. For these reasons, it is proposed to request disapplication of the MFG again in 2020/21. The deadline for submission of such requests is 11 October 2019 to allow for decisions by DfE before the release of the Authority Proforma Tool in December 2019.

xii) Recommendation – Schools Forum is asked to note the MFG range for 2020/21 and the disapplication request.

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Schools Funding Timetable 2020-21

AGENDA ITEM 17

MONTH	Local Authority activity	DfE or ESFA activity	Comments
September 2019		<ul style="list-style-type: none"> Operational guidance published setting out arrangements for 5 to 16 mainstream schools implementation for 2020 to 2021. High needs funding operational guide for 2020 to 2021 issued to local authorities. 	
03 October 2019	School Census Day		
10 October 2019	Schools Forum		
11 October 2019	First Submission deadline for Disapplication requests	Aim to approve before APT deadline	Deadline for submitting disapplication requests (for response by December) for: <ul style="list-style-type: none"> MFG exclusions exceptional premises factors sparsity factor lump sum variations for amalgamating schools pupil number reductions
Mid November 2019	Closing Date for for Submission of the AY 2020/21 High Needs place Change workbooks		Academy and Free Schools Place Changes only
20 November 2019	Second Submission deadline for Disapplication requests	Aim to approve before APT deadline	Deadline for submitting disapplication requests (for response by December) for: <ul style="list-style-type: none"> MFG exclusions exceptional premises factors sparsity factor lump sum variations for amalgamating schools pupil number reductions
28 November 2019	Submission deadline for Disapplication requests for moving more than 0.5% from Schools Block to High Needs Block or in the case of SF rejection		
30 November 2019	School Census database closed		Check and validate data
October to November 2019		<ul style="list-style-type: none"> Publish 2020 to 2021 high needs place change notification: technical note. Check and validate school census. NFF arrangements for 2020 to 2021 for schools, central school services and high needs published (illustrative allocations, PUFs, SUFs, policy document, technical notes). Further information to illustrate 2020 to 2021 growth funding allocations will be provided to local authorities. Draft APT issued to local authorities. Government response to consultation on implementing mandatory minimum per pupil levels. 	
10 December 2019	Schools Forum		
December 2019		<ul style="list-style-type: none"> Final APT issued to local authorities, containing October 2019 census-based pupil data and factors Publication of 2020 to 2021 DSG schools block (prior to academies recoupment), central school services block, initial early years block allocations and initial high needs block allocations for 2020 to 2021 	
16 January 2020	Schools Forum: Consultation and political approval required for final 2020-21 funding formula		
21 January 2020	Submission deadline of final APT for 2020-21 to ESFA		
29 February 2020	Deadline for confirmation of school budget shares to mainstream maintained schools		
By March 2020		<ul style="list-style-type: none"> Confirmation of 2020 to 2021 general annual grant for academies open by 9 January 2020. 2020 to 2021 allocation statements issued to post-16 institutions, academies, and NMSS. Publication of 2020 to 2021 high needs place numbers at institution level. 	
By April 2020		<ul style="list-style-type: none"> First DSG payments to local authorities based on 2020 to 2021 allocations, including academies recoupment (DSG allocations updated termly for in-year academy conversions), FE high needs place funding deductions, and other adjustments. 	

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**BARNET SCHOOLS FORUM
TERMS OF REFERENCE**

AGENDA ITEM 20

1 The Purpose of the Schools Forum

Schools forums generally have a consultative role. However, there are situations in which they have decision making powers. The respective roles of schools forums, local authorities and the DfE are summarised in [schools forum powers and responsibilities](#). The overarching areas on which schools forums make decisions on local authority proposals are:

- de-delegation from mainstream maintained schools budgets (separate approval will be required by the primary and secondary phase members of schools forum), for prescribed services to be provided centrally
- to create a fund for significant pupil growth in order to support the local authority's duty for place planning (basic need), including pre-opening and diseconomy of scale costs, and agree the criteria for maintained schools and academies to access this fund
- to create a fund for falling rolls for good or outstanding schools if the schools' surplus capacity is likely to be needed within the next three years to meet rising pupil numbers and agree the criteria for maintained schools and academies to access this fund
- agreeing other centrally retained budgets, including for local authority statutory responsibilities (where these relate to maintained schools only, voting is by the primary, secondary, special and PRU members of schools forum)
- funding for central early years expenditure, which may include funding for checking eligibility of pupils for an early years place, the early years pupil premium and/or free school meals
- authorising a reduction in the schools budget in order to fund a deficit arising in central expenditure, or from de-delegated services, which is to be carried forward from a previous funding period in the 2018 to 2019 funding year the schools block is ring-fenced. Local authorities require schools forum approval in order to move up to 0.5% from the schools block to other blocks
- in each of these cases, the local authority can appeal to the Secretary of State if the schools forum rejects its proposal.

Local authorities will need to discuss with the schools forum any proposals that they intend to put to the Secretary of State to:

- vary the MFG
- use exceptional factors
- vary pupil numbers (Secretary of State approval is no longer required for increases relating to changes in admission limits or reorganisations)
- allow additional categories of, or spending on, central budgets
- amend the sparsity factor

- vary the lump sum for amalgamating schools
- vary the protection for special schools and special academies
- move up to 0.5% from the schools block, where the schools forum do not agree, or move more than 0.5% from the schools block

Proposals will then need to be considered by the Secretary of State.

The schools forum has the responsibility of informing the governing bodies of all schools maintained by the local authority of the results of any consultations carried out by the local authority.

2 Membership

Schools forums must have 'schools members', 'academies member(s)' if there is at least one academy in the local authority's area and 'non-schools members'. Schools and academies members together must number at least two-thirds of the total membership of the schools forum and the balance between maintained primary, maintained secondary and academies members must be broadly proportionate to the pupil numbers in each category.

Academies members must represent mainstream academies and, if there are any in the local authority area, special academies and alternative provision academies. There is no requirement for academies members to represent specific primary and secondary phases, but it may be encouraged to ensure representation remains broadly proportionate to pupil numbers.

Nominations for representatives will be obtained as follows:

Sector	Nominated by
Nursery/ Early Years providers	Nursery Headteachers/ Private EY providers
Primary	Primary Headteachers/ Governors
Secondary	Secondary Headteachers/ Governors
Special	Special Headteachers/ Governors
Academies and Free Schools	Academy and Free School Principals, Finance Directors or Trustees
Pupil Referral Units (PRUs)	PRU Headteachers

Governor representatives will be self-nominating. An election among Chairs of the relevant school type will be conducted if there are more nominations than vacancies.

Elected members who hold an executive role in a local authority (a lead member) are barred from being either a schools member or a non-school member. However they have the right to attend meetings and speak but not vote.

The Director of Children's Service and other senior officers with a specific role in strategic financial management and/or the schools funding formula are barred from membership but they have the right to attend and speak at meetings.

The following persons may speak at meetings of the forum, even though they are not members of the forum:

- the director of children's services at the authority or their representative;
- the chief finance officer at the authority or their representative;
- any elected member of the authority who has primary responsibility for children's services or education in the authority;
- any elected member of the authority who has primary responsibility for the resources of the authority;
- any person who is invited by the forum to attend in order to provide financial or technical advice to the forum
- an observer appointed by the Secretary of State; and
- any person presenting a paper or other item to the forum that is on the meeting's agenda, but that person's right to speak shall be limited to matters related to the item that the person is presenting.

3 Roles and Responsibilities

Members should:

- take a strategic view of the issues they are considering and not be unduly influenced by personal views or circumstances
- scrutinise and challenge decisions or proposals by the local authority to ensure that changes are made in an appropriate and transparent manner
- ensure information is cascaded back to schools and relevant organisations which they represent, including signposting to online and other resources
- keep up to date with decisions and information covered at meetings they could not attend by accessing minutes of the meeting and consulting with colleagues in attendance
- seek to acquire the necessary level of knowledge of school funding by reading background information with support from the local authority.

The Local Authority should:

- foster a positive working relationship with Forum members to feel comfortable to express opinions, ideas and concerns
- provide open and honest advice to enable members to reach necessary decisions and informed views
- provide all necessary resources and training to enable members to acquire the required level knowledge to make informed and balanced decisions

- be responsive to reasonable requests from the Forum (e.g. to discuss particular topics or provide specific information or data) which fall within the Schools Forum remit
- ensure that the Schools Forum operates within the local and national constitutional and procedural regulations.

Any independent consultant to the Schools Forum should:

- provide impartial technical guidance as required during discussions at meetings.
- work alongside the local authority in the development of training materials and delivery of training sessions.

4 Membership Structure

The composition of the Schools Forum will be reviewed annually to ensure that the representation matches changes in pupil and school numbers and school type. Membership will not be restructured to reflect in-year changes such as conversion to academy status of members' schools.

The membership structure and current members will be included in the papers for the first Schools Forum of each new academic year.

5 Terms of Office

School and non-school members may serve for a period of three years. Subsequent re-election of existing members will be allowed. A member from the same representative group will replace members leaving early.

Members who miss two or more consecutive meetings will be asked if they want to continue to remain as members.

Where a member leaves the organisation they are representing they will cease to be a member.

If a school changes its status (e.g. becomes an Academy) the term of office of any member representing schools of the original status will come to an end at the end of the academic year. The Secretary of State has powers to remove from the Forum any non-school member representing an organisation which she/he has determined, should not hold membership of the Forum.

6 Timing and frequency of meetings

The local authority will timetable at least five meetings per year. These meetings will be arranged to coincide with the Schools' Budget setting cycle, in order that the Schools Forum can be consulted in good time for its view to be taken into account before final decisions are taken for the following year.

The Schools Forum can determine to hold additional meetings if considered necessary in liaison with, and organised by, the local authority. In the event of such exceptional meetings, all members and non-voting attendees of the Forum must be given the opportunity to participate in the meeting for it to be deemed constitutional.

Meetings will be held during normal business hours (i.e. 9am-6pm) on weekdays during school term times. Meetings will normally commence at 4pm and to run until 6pm.

7 Proceedings, voting and decision making

The Forum will elect its own Chair and Vice-Chair from among its members at inception and then annually at the first meeting of each academic year.

The Chair and Vice-Chair will be elected by a simple majority vote, cast by individual voting members present in each case. In the event of a tie, a revote will be held of the tying candidates. If there is still a tie the Director of Children's Service (or his/her representative) will have the casting vote.

The local authority will appoint a clerk.

General procedural matters (e.g. length of meetings, additional meetings, project work etc.) will also be decided by majority vote.

Only school, academy and PVI members are able to vote on the funding formulae to be used by the local authority to determine the amounts to be allocated to schools and early years providers.

Only the relevant maintained school members of the Forum are able to vote on de-delegation of funds (i.e. primary members vote on primary dedelegation, secondaries on secondary dedelegation. The relevant services about which the Schools Forum can make decisions on behalf of maintained schools in a phase are as shown in Section 1.

All proposals (whether for decision or for consultation) will be decided by majority vote, recording the number of individual members voting (i) in favour; or (ii) against; or (iii) abstaining.

Each member's vote must have an equal weighting, save that in the event of a tie in the number of votes the members may determine such other voting procedures as they see fit. In the absence of alternative voting procedures, the Chair will make the casting vote.

Working parties may be set up as required but decision making remains with the full Schools Forum.

Forum meetings will be open to the public and unless specifically agreed all reports, minutes and agendas will be made available to the public online at:

http://www.barnet.gov.uk/WorkingWithChildrenInBarnet/info/30020/schools_forum

Where a member of the Forum has a personal or pecuniary interest (either as a headteacher, governor, parent or individual) in a matter to be discussed at a meeting of the Forum or a sub-committee, they must declare an interest at the start of the meeting or as soon as it becomes apparent. Following a declaration of interest, the Forum shall determine whether the member should withdraw from the meeting for that item or remain and not be counted in the quorum for the item.

Quorum:

A meeting is only quorate if 40% of the total membership is present (this excludes any observers, and it is 40% of the current membership excluding vacancies). If a meeting is inquorate it can proceed but it cannot legally take decisions (election of a Chair, or a decision relating to funding conferred by the funding regulations). An inquorate meeting can respond to local authority consultation, and give views to the local authority. It would normally be good practice for the local authority to take account of such 'unofficial' views, but it's not legally obliged to do so. In practice, the arrangements for meetings should be made to reduce the chance of a problem with the quorum. The quorum stipulation is in the regulations to help ensure the legitimacy of decisions.

Substitutes:

The quorum can include substitutes. Each member can have one nominated substitute. Substitutes must be nominated and recorded at the beginning of each member's term of tenure. The substitute may attend with the member but not vote. Substitutes will be expected to keep abreast of all issues in the same way as a full member. Minutes will be circulated within 10 working days of each meeting.

8 Distribution and Content of Papers

The draft agenda for the next meeting will be presented for approval at each meeting. A finalised agenda will be circulated to all members 10 days before each meeting.

The local authority will, in normal circumstances, distribute papers 10 working days (excluding weekends, school and public holidays) in advance of each meeting. Where the fluidity of information means that the content of papers is subject to rapid change, amendments to papers may be issued closer to the meeting. Tabled papers will be avoided if possible.

Papers will be presented in a logical order with a clear demarcation of issues for action and consultation to assist with the decision making process and focus discussion.

Papers will cover key issues with sufficient detail in plain English to allow members to make informed strategic decisions.

Where members do not understand the content of papers, it is their responsibility to contact the local authority or fellow members to request further clarity or support.

9 Training

Induction and training will be provided by the local authority for new members. The local authority will organise annual training to bring all members up to the required level of knowledge to enable them to participate fully in all discussions and decisions. Training should provide clarity around relevant issues and ensure that members are able to understand the consequences of financial decisions on other aspects of the budget.

10 Expenses

All costs associated with the running of the schools budget will be met by the centrally retained element of the schools budget.

Reasonable expenses of members in connection with attendance at meetings of the Forum shall be reimbursed.

Based on the process agreed by the Forum, supply cover will be available to teacher governors, but not headteachers.

11 Confidentiality

Should information of a confidential or privileged nature (e.g. in matters relating to proposed contracts) be given to Forum members for an item under discussion, they must observe the confidentiality of such matters. During the discussion, any members of the public may, at the discretion of the Chairman, be asked to withdraw from the meeting.

12 Amendments to the Terms of Reference

The terms of reference may be amended through a majority of members at a quorate meeting of the Schools Forum.

Recommendation:

The Schools Forum is asked to approve the amended Terms of Reference in accordance with The Schools Forum (England) Regulations 2012 to come into immediate effect.

Source:

<https://www.gov.uk/government/publications/schools-forums-operational-and-good-practice-guide-2015#history>

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