

## MEETING OF THE SCHOOLS FORUM

Wednesday 5<sup>th</sup> December 2018 at 8:30am

**BETHNAL GREEN CENTRE, 229 Bethnal GREEN ROAD, E2 6AB**

### AGENDA

1.	Apologies for absence	Chair
2.	Minutes of the meeting on 10th October 2018 and matters arising	Chair
3.	School Block Strategy 2019-20	Steve Worth
4.	Central Schools Services Block 2019-20	Sailesh Patel
5.	Early Years Centrally Retained funding	Christine McInnes/ Pauline Hoare
6.	High Needs Strategy Working Groups–Update	John O’Shea
7.	Any other Business	
8.	<ul style="list-style-type: none"><li>Next meeting 8:30am, 16th January 2019 at the PDC, Bethnal Green</li></ul>	

Dates for the Schools Forum meetings 2018-19: 16th January 2019.

**School Members**

Governors: Jill Cochrane, Conor Magill\*, Gwen Wright\*, Alan Morton\*, Bridget Cass\*, Dave Lake\*, and Pip Pinhorn\*

Headteachers: Lorraine Flanagan\* (Chair), Esther Holland\* (Vice-Chair), Sarah Helm\*, Jemima Reilly\*, Matthew Rayner\*, Jill Baker\*, John Bradshaw\*, Joanna Clensy\*, Sheila Mouna\* Avril Newman\*, Belinda King, Monica Forty\* and Martin Nirsimloo.

**Non School Members:**

Terry Bennett (CE Diocese), Alison Arnaud (Tower Hamlets College), Kim Arrowsmith (PVI EYs Providers), Alex Kenny (Trade Union Rep) and Mahmudul Choudhury (Council of Mosques)

**Observers:**

Tracy Smith (THEP)\*

*\*indicates attendance*

**Officers in attendance**

Debbie Jones (Director of Children’s Services Partnership), Christine McInnes\*, John O’Shea (Head of SEN)\*, Steve Worth (Schools Finance Advisor), Suzanna Jones (Supporting Divisional Director Finance) Runa Basit (Clerk to the Schools Forum)\* and Rochelle Clarke (Supporting Clerk)\*

**Action:**

<p><b>1. Welcome and apologies for absence</b></p> <p>The Clerk updated the Forum on the membership and new members were welcomed to the meeting.</p> <p>Introductions took place.</p> <p>Apologies were noted from Belinda King and Alex Kenny.</p>	
<p><b>2. Election of Chair and Vice-chair</b></p> <p>The Clerk invited nominations for the role of Chair and Vice-Chair. Lorraine Flanagan was elected as Chair and Esther Holland was elected as Vice-Chair.</p>	
<p><b>3. Minutes of the meeting on 13<sup>th</sup> June 2018 and matters arising</b></p> <p><b>Resolved</b> – The minutes were agreed as a correct record.</p> <p>Matters Arising: [Item 5, page 3] Schools Surplus Balances – it was requested the paper on schools surplus balances should also include the school’s</p>	

commitment. Sailesh clarified the commitment information was not previously available. The paper will be re-presented and commitment information will be included.

[Item 6, page 3] Christine McInnes said the SEMH review was underway.

[Item 9, page 7] Debbie Jones updated the Forum that the decision on LA Day Nurseries (LADN) had been called in by the Overview and Scrutiny Committee (OSC). This meant the decision cannot be made until OSC have reviewed the decision. Debbie explained the process and said the Mayor will make the final decision.

Christine added that a formal response from the Forum on its position in relation to the LADN will be referred to. It will also review the information that was available to the Forum when it reached its decision.

There were comments made that inaccurate information was shared with parents. This made it difficult for parents to reach an informed decision.

The Clerk clarified the Forum had previously decided to hold back £270k of the allocated funds for LADN. At the last meeting the Forum had requested further information before the next steps are decided. Debbie said they were unable to provide any information at this meeting given the decision has been called in. Further information will be shared at the next meeting.

**Action:**  
Debbie Jones/  
Christine McInnes

#### 4. DSG 2018-20 and 2019-20

The paper on DSG was circulated for prior reading. Sailesh Patel went through the paper and highlighted the key points. The report sets out the original and revised DSG for 2018-19 and the monitoring position for the centrally managed elements. The report also sets out the indicative DSG for 2019-20 and the initial proposals for its use.

The Schools Forum is invited to note the current projections for 2018-19 centrally retained budgets and comment on the initial proposals for the 2019/20 centrally retained elements.

Members noted the grant was split into four blocks:

- The Schools Block
- Central Schools Services Block
- High Needs Block
- Early Years Block

The Forum was informed that the High Needs Block was under significant pressure. Last year the overall block had an in-year

overspend of £1.42m which was supported by the DSG carry forward reserves. The current year forecast had increased to £2.6m.

Members requested further information on the overspend in the High Needs Block.

Sailesh explained there were overspends in elements within the High Needs Block and further details were included in the report.

Members noted the LA's statutory duty in relation to High Needs and the significant increase in EHCPs and in the complexity and cost of SEN provision across the age range.

Christine added the LA was asked to carry out a research into this to ascertain whether this was a real growth or whether there were other factors contributing to this increase. Christine guessed that it would be a combination of both.

In relation to the overspend discussion was also taking place with the funding agencies. A review of the allocation of funding and top-up funding needs to be take place. This would be alongside the review of SEMH.

Sailesh highlighted the key message was how savings will be achieved. There will be some elements of savings in the school allocation.

Christine said there will also be financial impact for the Support for Learning Service. The LA was looking at taking a significant reduction in the funding – this was in the region of £1m.

The Chair requested information on the de-delegation ahead of the next meeting.

Debbie highlighted that a tremendous amount of work was taking place. The report differentiates between the Schools Forum decisions and other decisions. It was noted the financial pressure was the same nationally.

The Chair requested more information on the High Needs block to be brought to the Forum.

Christine said with the reviews taking place, the Authority was looking at changes coming into place for September 2019. The LA was currently looking at other LA models and exploring all avenues. Members raised concerns about the banding and were informed that this too will be looked at.

Sailesh Patel highlighted the areas for de-delegation and retained budget included:

- Trade Union facilities time/Supply Staff costs
- Licenses and subscriptions
- Support for Learning
- Behaviour Support and Anti-bullying

The Forum was asked to note the initial proposals for the funding blocks. The report proposed the following:

- The one-off funding of £0.92m released by the reductions in National Non-Domestic Rates in 2019-20 is transferred to the High Needs Block.
- The level and purposes of de-delegation remain at the 2018-19 level.
- The Growth fund remains at the 2018-19 level.
- The reduction in funding of £0.53m to be contained within the block.

Sailesh will share information ahead of the next meeting.

Members enquired about the inequalities in funding in schools. Sailesh confirmed the same formula was used to allocate funding. However if schools get additional funding it is outside of the Schools Forum/DSG and is locked in.

John Bradshaw highlighted the SEMH is under review and invited all Headteachers to comment / get involved in the review. A Presentation will take place on 1<sup>st</sup> November.

The Chair said that Tower Hamlets has a shared inclusivity and extended the Forum's support for the SEMH review. Members agreed the High Needs Block was a complex area.

The Forum noted the centrally retained budget.

**Action:**  
Sailesh Patel

##### **5. Schools Funding 2019-20 – National Funding Formula (NFF).**

Steve Worth presented the report on the Schools Funding Formula 2019-20.

The report sets out the following:

- the background to the school funding formula for the period 2018-19 to 2020-21;
- the current TH Funding Formula;
- the resources for 2019-20;
- options for the funding formula for 2019-20;
- makes recommendation on the formula to be used for 2019-20, and
- Sets out the proposed document for consultation with schools.

Schools Forum is invited to comment of the proposed funding formula for 2019/20 and the document for consulting with schools.

Steve highlighted the background and recent changes as outlined on in the report. The key points to noted are:

The increase in the indicative Schools Block is £1.017m and is made up of: a) an increase in the pupil units of funding to incorporate the 0.5% uplift, and b) adjustments to the allocation of premises will see a reduction of £0.429m.

Steve explained the DfE had announced the 'soft' NFF arrangements will be extended to 2020-21. TH approach in 2018-19 was to maintain its formula as closely as possible to the Minimum Funding Guarantee (MFG) of -1.5%.

It was noted the 'hard' NFF is likely to come in to effect for 2021/22 financial year.

The Chair stated that schools and parents were campaigning against the funding cuts and putting pressure on the government. Schools were encouraged to get involved in the campaign.

Steve advised the NFF Working Group had met and reviewed comparative data and considered the following options:

- To move as closely as possible to the NFF
- To more part way towards the NFF
- To retain the current factor values but vary the MFG and capping and scaling arrangements.

The Group looked at four separate models (listed as 6.1 in the report). Steve explained the options and informed members the Working Group identified two options – Model 1 (which is the current model in use) or Model 3 (using the NFF funding factor).

It was explained the NFF Working Group had looked at results (shared as Appendix 3) of the various models and identified where schools are at present and where they need to go. It was noted that for each models some school gained and others did not.

Members commented the information in the report was complex. It was **AGREED** that going forward Steve will expand the executive summary. **Action:**

**Action:**  
Steve Worth

A discussion ensued on the level of complexity within the reports and information at Schools Forum. Steve Worth informed members the induction session could be used as a refresher session too. All members will be sent an invitation to the induction session. **Action:**

The Forum noted the conclusions under item 7 and the Recommendation that Model 3 is adopted as the Tower Hamlets Schools Funding Formula for 2019-20.

In reply to a question, Steve said that as part of the consultation schools will be able to comment on the other Models.

It was clarified the consultation with schools will be on the Working Group's recommendation.

The Forum reviewed the consultation documents and suggested the following:

- To include calculations on who gains and the loss for each Model

<ul style="list-style-type: none"> <li>- To include explanation on why schools have gained/losses.</li> <li>- Where possible the consultation document to be simplified.</li> <li>- To include that the recommendation is from the NFF Working Group.</li> </ul> <p>Members commented the information needs to be less technical. Steve advised that although some information is technical it is necessary to include for the purpose of transparency. However going forward Steve will ensure the executive summary is more detailed and in plain terminology and clearly outlining the position.</p> <p><i>[Pip Pinhorn left 10:10am]</i></p> <p>Steve will bring the results from the consultation to the next meeting.</p> <p><i>[It was also suggested that when papers are circulated members should be alerted to which papers need to be printed in A3]</i></p>	<p style="text-align: right;"><b>Action:</b> Steve Worth</p>
<p><b>6. New members induction</b></p> <p>Steve Worth advised the report introduces new members to the Schools Forum and provides them with the Constitution. It was noted the constitution was reviewed last June.</p> <p>The Constitution and guidance on the Schools Forum powers and responsibilities were noted.</p> <p>Steve Worth will contact members via email with dates and times for the induction session.</p>	<p style="text-align: right;"><b>Action:</b> Steve Worth</p>
<p><b>7. Teachers Pay Grant</b></p> <p>Sailesh Patel shared the announcement of the teachers' pay award for September 2018 including the arrangements for the element of the award that is to be funded from Government grant.</p> <p>The Schools Forum is asked to note the arrangement for grant funding the teachers' pay award.</p> <p>Exemplar allocations were included in the report. Sailesh clarified the actual allocation will be established when further information is received.</p>	
<p><b>8. AOB</b></p> <p>The Forum was informed that Headteachers were continuing with their campaign against the funding cuts and took part in a recent demonstration to Downing Street. Further demonstration was planned.</p>	
<p><b>9 Date of next meeting</b></p> <ul style="list-style-type: none"> <li>- 5<sup>th</sup> December 2018 at 8:30am</li> </ul>	

**AGENDA ITEM 03**

**Title of report: Schools Block Strategy 2019-20**

**Author of the paper: Steve Worth / Sailesh Patel**

**Officer to present the paper to Schools Forum: Steve Worth**

**Details on who has been consulted with on this paper to date:**

**Executive Summary.**

The report sets out the proposed use of the Schools Block of the Dedicated Schools Grant for 2019-20 and covers:

1. The outcome of the consultation with schools on the proposed schools funding formula for 2019-20.
2. The proposed transfer of £0.9m from the Schools Block to the High Needs Block.
3. Changes to the Growth Fund for 2019-20.
4. The proposals for de-delegation of:
  - a. Delegated funding.
  - b. Former Education Services Grant (ESG) general duties elements.

**Recommendations.**

Forum is asked to:

1. Note the response to consultation and the intention to proceed with Model 3, subject to further consultation with Forum in January.
2. Note the proposal to transfer £0.9m to the High Needs Block for 2019-20 only.
3. Note the changes to the Growth Fund methodology for 2019-20.
4. Note the de-delegation proposals set out in Table 3 and Section 4.

## **Report.**

### **1. Tower Hamlets Schools Funding Formula 2019-20.**

- 1.1. The report 'School Funding Formula' presented to Forum at its meeting of 18<sup>th</sup> October 2018 set out the background to the National schools Funding Formula (NFF) and options for the local funding formula for 2019-20. Following that meeting schools were consulted on the options with Option 3 being the one recommended by the Authority.
- 1.2. The recommended option, Option 3, implemented the factors and values of the NFF. As the funding available to Tower Hamlets in 2019-20 will be significantly higher than the NFF the balance was allocated to schools through the Minimum Funding Guarantee (MFG), which in the model had a positive value of 0.42%, allowing all schools to gain compared with 2018-19. The position for individual schools is set out in Appendix 2. Please note that the allocations are indicative based on October 2017 pupil numbers and will be revised to take account of the October 2018 census and final Dedicated Schools Grant (DSG) allocations.
- 1.3. The consultation with schools ran from 19 October to 12 November. A total of 10 schools responded all supporting Option 3. No comments other than in support of the option were received.
- 1.4. Based on the outcome of the consultation the Authority plans to proceed with implementing Option 3 subject to further consultation with the Forum in January.

### **2. Transfers from the Schools Block.**

- 2.1. The report to the last Forum also sets out the background to a £0.92m reduction in charges in National Non-Domestic Rates (NNDR) in 2019-20 that will feed through to a reduction in the DSG in 2020-21. Because of the one-off nature of this saving the 'School Funding Formula' report proposed that it was transferred to the High Needs Block (HNB) to help relieve the pressure faced by that block.
- 2.2. A transfer of £0.92m represents 0.35% of the Schools Block; this is within the 0.5% transfer tolerance allowed by the School and Early Years Finance Regulations.
- 2.3. Regulations<sup>1</sup> require that before Forum makes a final decision on this the Authority must consult with schools. Schools Forum is asked to note this proposal and that a final decision will be required in January once schools have been consulted.

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<sup>1</sup> School and Early Years Finance Regulations.

### **3. Retained Growth Fund.**

- 3.1. The only centrally retained items allowed within the Schools Block are the contingencies for the Growth Fund and Falling Rolls Fund. The latter is to protect schools rated outstanding or good that face a temporary fall in pupil numbers. Tower Hamlets did not have a Falling Rolls Fund in 2018-19 and is not proposing to create one for 2019-20.
- 3.2. The Growth Fund in 2018-19 was £2.47m. The criteria for allocation have been agreed by Forum and are set out in **Appendix 2**.
- 3.3. For 2019-20 the DfE will introduce a nationally determined growth fund based on lagged pupil number growth. For each pupil the LA will be allocated £1,370 per primary and £2,050 per secondary pupil. We have not been given an estimate of the fund by the DfE, but modelling suggests that this method will not provide sufficient funding for pupil growth.
- 3.4. The allocation within the NFF will be announced in mid-December and the implications of this will be assessed and a recommendation of the sum to be retained will be brought to Forum in January

### **4. De-Delegation of Delegated Funding.**

- 4.1. Regulations require the delegation to schools and academies of specified DSG funded services formerly retained by Local Authorities (LAs). A LA wishing to continue to provide one of these services centrally can request Forum to de-delegate the funding for that service. De-delegation is restricted to maintained primary and secondary schools and representatives of each phase vote separately on the issue each year.
- 4.2. The services Tower Hamlets wishes to retain are:
  - 4.2.1. Contingency for Schools in financial difficulty. This covers changes in formula allocation, or changes in other costs covering, rents, NNDR and legal.
  - 4.2.2. FSM Eligibility. This is a checking service provided by the welfare and benefit teams.
  - 4.2.3. Licences that are not covered by the national ESFA Scheme, such as British Pathé.
  - 4.2.4. Trade Union Facilities. This funds the salaries of officials of the various unions representing staff in maintained schools, see Appendix 3.
  - 4.2.5. Behaviour Support and Anti-Bullying. This funds the high incidence support team's work with maintained schools.
- 4.3. The amounts de-delegated in 2018/19 are set out in Table 3. It is proposed that the same amounts per pupil are retained for 2019-20. De- delegation is not an option for Nursery Schools, Special Schools, PRUs or Academies.

**Table 3: Proposed De-Delegation of Delegated Funding.**

<b>Component</b>	<b>£/Pupil Pri</b>	<b>£/Pupil Sec</b>	<b>Pri</b>	<b>Sec</b>	<b>Total</b>
Pupil Numbers – October 2017			20,240	10,357	30,597
			£000	£000	£000
Contingencies (not growth).	14.93	14.93	302	155	457
Free school meal eligibility	3.86	3.86	78	40	118
Licences/subscriptions	0.80	0.80	16	8	24
Trade Union Facilities	6.00	6.00	121	62	184
Behaviour Support /anti-bullying.	2.84	4.44	57	46	103
<b>Total</b>	<b>28.43</b>	<b>30.03</b>	<b>575</b>	<b>311</b>	<b>886</b>

- 4.4. The representatives of primary and secondary maintained schools are asked to note the proposals that will be recommended for agreement at the January meeting.

#### **5. De-Delegation of Former Education Services Grant (ESG) General Duties.**

- 5.1. Various education services that were not directly pupil related were funded through the ESG. In 2016-17 the ESG had been £3.739m but the grant was phased out in 2017-18. Some of it, for duties that cover both maintained schools and academies, was transferred into the Central School Services Block (CSSB) of the DSG. The amount transferred was £0.63m and for 2018-19 Forum agreed that it could be retained centrally. A request to do so again is dealt with in the separate report on the CSSB.
- 5.2. This still left a funding gap of £3.1m and LAs were allowed to seek forum's permission for further de-delegation from maintained schools for services the LA provided for them. These services are set out in Appendix 4.
- 5.3. The Regulations expect contributions to come from all maintained schools, except nursery schools, and allow for differentials between mainstream schools, special schools and PRUs.
- 5.4. For 2018-19, Forum agreed the Authority's request to de-delegate £0.841m from mainstream schools but no request was made in respect of special schools and the PRU. Given the considerable loss in funding entailed in the ending of the ESG the Authority is seeking to retain the same amount from mainstream schools but also to de-delegate from special school and PRU budgets.
- 5.5. The proposed de-delegation in mainstream schools is £27.50 per-pupil, as in 2018-19. Special schools and PRUs are funded differently to mainstream schools and Guidance<sup>2</sup> sets out differentials of up to 4.25. The Authority is

<sup>2</sup> Schools revenue funding 2019 to 2020  
Operational guide

## Schools Forum.

proposing a lower differential of 3.0 for special schools and the PRU giving a deduction of £80, deductible from the £10,000 place funding.

- 5.6. The proposed de-delegated and centrally retained contributions still cover only 41% of the former grant. The current budgets for former ESG services and the proposed contributions are set out in Table 4.

**Table 4: Former ESG Budgets and Proposed CSSB and De-Delegated Contributions.**

Category	Total	CSSB	De-delegated	General Fund
	£000	£000	£000	£000
Statutory and regulatory Duties	1,553	358	303	892
School Improvement	366	0		366
Education Welfare	1,243	229	207	807
Asset Management	419	43	39	337
Central Support services	480		106	374
Redundancy & Early Retirement	1,481	0	245	1,236
Total	5,542	630	901	4,011

- 5.7. Maintained school representatives are asked to note the proposals to de-delegate £27.50 per pupil in mainstream schools and £80 per special school and PRU place. The proposals will be recommended for agreement at the January meeting.

## **Appendix 2: Criteria for Schools Accessing Pupil Growth Contingency**

The criteria that will be used and applied to allocate funding to schools under Tower Hamlets Council, Education, Social Care & Wellbeing Growth Policy.

In particular funding will be allocated on four criteria.

a) Where there are planned permanent expansions (i.e. the school's admission and the building capacity has been permanently increased specifically to meet additional pupil number growth) the contingency fund will meet the cost of any additional pupils on the October or January census date, compared to the previous admission number for that year group. For instance, a school that already started to move from 2 forms of entry (60 places) to 3 forms of entry (90 places), may have actual pupil numbers in Year 2 of 85, in the first year that the expansion affects Year 2. If there were 85 pupils on the October census, the school would get  $((85-60) \times \text{AWPU} \times 7/12)$  or  $3/12$  for a January start. A minimum 20 pupils per class (or 10 for  $\frac{1}{2}$  a form entry) is calculated to ensure both staffing and teaching resources are covered for this provision i.e. a class of 30 pupils that has only 19 pupils at the October or January census date would be entitled to  $20 \times 7/12\text{ths} \times \text{AWPU}$  rate. These arrangements apply for only the first year that any new admission places for a year-group are offered.

b) Where there is only a temporary one-off expansion in a single year group (bulge class), the maintained school or Academy will receive an extra £200 per pupil towards the cost of additional resources over and above the AWPU. These arrangements apply for only the year of opening of the class.

c) Where planned expansion of the maintained school or Academy is by at least 2 forms of entry, the Local Authority will provide additional Leadership and Management funding worth £40,000 per year over the first three financial years in recognition of the increase in management costs associated with significant expansion. (Year 1 of this funding is the school year before opening if that is agreed by the school and LA – i.e. to reflect the planning ahead requirement for the change).

d) Permanent expansions are generally implemented over time by admitting the additional pupils at Reception or Year 7 only until the additional capacity fills. Where a school has specific facilities management or ICT contract arrangements which provide services as though an expanding school were full, the contingency fund will provide proportionate support for individual schools on the basis of the year groups which are operating below full capacity. For instance, a four form of entry school offering 5 year groups is expanding to a five form of entry school. Before the expansion, there were 600 places available in total and, after the expansion there will be 750 places in total. In the first year after the expansion, however, there will be  $(150 \times 4 + 30) = 630$  places with 120 unfilled places. The contingency fund would pay for  $120/750\text{ths}$  of the annual cost of those contracts.

Schools Forum.

**Appendix 4 Former Education Services Grant –Attachment**

## Criteria for Schools Accessing Pupil Growth Contingency

The criteria that will be used and applied to allocate funding to schools under Tower Hamlets Council, Education, Social Care & Wellbeing Growth Policy.

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a) Where there are planned permanent expansions (i.e. the school's admission and the building capacity has been permanently increased specifically to meet additional pupil number growth) the contingency fund will meet the cost of any additional pupils on the October or January census date, compared to the previous admission number for that year group. For instance, a school that already started to move from 2 forms of entry (60 places) to 3 forms of entry (90 places), may have actual pupil numbers in Year 2 of 85, in the first year that the expansion affects Year 2. If there were 85 pupils on the October census, the school would get  $((85-60) \times \text{AWPU} \times 7/12)$  or  $3/12$  for a January start. A minimum 20 pupils per class (or 10 for  $\frac{1}{2}$  a form entry) is calculated to ensure both staffing and teaching resources are covered for this provision i.e. a class of 30 pupils that has only 19 pupils at the October or January census date would be entitled to  $20 \times 7/12\text{ths} \times \text{AWPU}$  rate. These arrangements apply for only the first year that any new admission places for a year-group are offered.

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c) Where planned expansion of the maintained school or Academy is by at least 2 forms of entry, the Local Authority will provide additional Leadership and Management funding worth £40,000 per year over the first three financial years in recognition of the increase in management costs associated with significant expansion. (Year 1 of this funding is the school year before opening if that is agreed by the school and LA – i.e. to reflect the planning ahead requirement for the change).

d) Permanent expansions are generally implemented over time by admitting the additional pupils at Reception or Year 7 only until the additional capacity fills. Where a school has specific facilities management or ICT contract arrangements which provide services as though an expanding school were full, the contingency fund will provide proportionate support for individual schools on the basis of the year groups which are operating below full capacity. For instance, a four form of entry school offering 5 year groups is expanding to a five form of entry school. Before the expansion, there were 600 places available in total and, after the expansion there will be 750 places in total. In the first year after the expansion, however, there will be  $(150 \times 4 + 30) = 630$  places with 120 unfilled places. The contingency fund would pay for  $120/750\text{ths}$  of the annual cost of those contracts.

**AGENDA ITEM 04**

**Title of report: Central School Services Block**

**Author of the paper: Steve Worth / Sailesh Patel**

**Officer to present the paper to Schools Forum: Sailesh Patel**

**Details on who has been consulted with on this paper to date:  
Neville Murton, Christine McInnes**

**Executive Summary.**

1. Sets out the background to the Central Schools Services Block and the indicative allocation for 2019-20.
2. The proposal to fund former Education Services Grant expenditure.
3. The proposal to fund ongoing duties.
4. The proposal to fund historical commitments.

**Details of recommendations and timescales for decisions:  
Schools Forum is asked to:**

**Note the proposals put forward to retain CSSB funding for which Forum approval will be sought at the January meeting.**

## 1. Central School Services Block (CSSB).

1.1. The Central Schools Services Block was created in 2018-19. It brought together the centrally retained budgets formerly contained within the Schools Block and funding of £0.63m for those duties a Local Authority (LA) retains for both maintained schools and academies; the latter was previously funded from the discontinued Education Services Grant (ESG).

1.2. The funding the Authority receives is made up of two elements:

1.2.1. Funding through a national formula for ongoing responsibilities such as admissions and former ESG services. For 2019-20 the indicative allocation is £2.016m.

1.2.2. A lump sum element of £2.782m for historical commitments. The Education and Skills Funding Agency (ESFA) expects this element to be reducing and the lump sum will reduce in future years.

1.3. The CSSB in total is £4.798m for 2019-20, **a reduction of £52.6k** compared with 2018-19 and £82k compared with the 2017-18 baselines.

1.4. The aim of the CSSB is to improve transparency and recognise the continued need to use DSG funding (within laid out parameters) to fund centrally managed commitments which support front line and support service functions.

## 2. Former Education Services Grant (ESG) Services.

2.1. Various education services that were not directly pupil related were funded through the ESG. In 2016-17 the ESG had been £3.739m but the grant was phased out in 2017-18. An element of it, for duties that cover both maintained schools and academies, was transferred into the CSSB; these duties are set out in **Appendix 1**. The amount transferred was £0.63m and for 2018-19 Forum agreed that this could be retained centrally.

2.2. LAs are able to supplement this sum for services for maintained schools through de-delegation; this is dealt with in Section 5 of the Schools Block Strategy Report on this agenda.

2.3. Table 1 sets out the current total budget for former ESG funded services together with the proposed contributions from the CSSB and de-delegation. Please note that the proposed contributions only cover 41% of the former grant.

2.4. It is the Authority's intention to seek Forum's approval to continue to retain the £0.63m as a contribution towards its statutory duties.

**Table 1: Former ESG Budgets and Proposed CSSB and De-Delegated Contributions.**

Category	Total	CSSB	De-delegated	General Fund
	£000	£000	£000	£000
Statutory and regulatory Duties	1,553	358	303	892
School Improvement	366	0		366
Education Welfare	1,243	229	207	807
Asset Management	419	43	39	337
Central Support services	480		106	374
Redundancy & Early Retirement	1,481	0	245	1,236
Total	5,542	630	901	4,011

### 3. Ongoing Duties.

- 3.1. Table 2 sets out the other statutory duties the Authority must provide and the current budget allocations. Permission to continue to retain this funding will be sought at the January meeting. Additional information will be provided at that meeting giving supporting information on each item.

**Table 2: CSSB Ongoing Duties.**

Section 251 Budgeted spend	£
1.4.2 School admissions	699,000
1.4.3 Servicing of schools forums	30,000
1.4.8 Fees to independent schools without SEN	510,000
1.4.13 Other Items (copyright licenses)	229,000
Ongoing Duties (non ESG)	£1,468,000

### 4. Historic Commitments.

- 4.1. Historic commitments include contributions agreed by Forum in the past. No new commitments could be entered into after 31 March 2013 and the ESFA expects these budgets to be reducing.
- 4.2. Historic commitments were usually either:
- 4.2.1. To combine Dedicated Schools Grant (DSG) funding with other income sources to contribute to services that benefitted the education of children in general; this totals £1.665m. Or,
- 4.2.2. Where savings had been generated within the DSG but gave rise to costs outside of it, such as redundancy costs arising from rationalisation in school organisation; in such cases the costs could be charged to the DSG. This totals £1.117m.

Schools Forum.

4.3. Approval to retain these amounts, net of the savings required, will be sought at the January meeting at which additional information will also be provided.

5. Summary.

5.1. The overall position on the indicative 2019-20 CSSB is set out in Table 3.

**Table 3 Summary of CSSB proposals for 2019-20.**

<b>Description</b>	<b>£000</b>	<b>£000</b>
Indicative Allocation		4,798
Proposed Use:		
Former ESG Services	630	
Ongoing Duties	1,468	
Historic Commitments	2,782	
Total		4,880
Savings Required		82

## **Appendix 1 Retained Duties for Maintained Schools and Academies.**

**Central provision within schools budget (former ESG retained duties) Regulations. In 2018-19 that part of the ESG which related to retained duties (those that apply to both maintained schools and academies) has been added to the DSG. This provision will now fall within the Schools Budget, provided it is funded out of DSG.**

### **1.5.1 Education welfare service**

**Include here the following expenditure:**

**Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**School attendance (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Responsibilities regarding the employment of children (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

### **1.5.2 Asset management**

**Include here the following expenditure:**

**Management of the LA's capital programme including preparation and review of an asset management plan, and negotiation and management of private finance transactions (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**General landlord duties for all buildings owned by the local authority, including those leased to academies.**

### **1.5.3 Statutory/ Regulatory duties**

**Include here the following expenditure:**

**Director of children's services and personal staff for director (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Planning for the education service as a whole (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Administration of grants (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Authorisation and monitoring of expenditure not met from schools' budget shares (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Formulation and review of local authority schools funding formula (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**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 (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Consultation costs relating to non-staffing issues (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Plans involving collaboration with other LA services or public/voluntary bodies (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Standing Advisory Committees for Religious Education (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

**Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Schedule 1 to the Schools and Early Years Finance (England) Regulations 2017)**

Schools Forum.

## De-delegation- business cases for schools forum

At budget setting time each year, Schools Forum will be asked to approve the de-delegation of funding for centrally provided support in the following areas.

1. School Specific Contingency
2. Free School Meal Eligibility Assessment
3. Licences and Subscriptions
4. Staff Supply Costs
5. **Behaviour Support and Anti-bullying**

De-delegation will be based on a per pupil formula which is considered to be a fair way of accounting for the size of the school and its budget. On this basis, for each item we have provided figures on the overall expenditure and the per pupil rate.

These figures are Final based on the number of maintained schools currently and the prevailing rates for 2018/19. **Final figures will be presented to Schools Forum in January 2019 for a final decision** on each of the five services by primary school representatives and secondary school representatives on whether de-delegation should apply for 2019/20.

## 1. Schools Specific Contingency

£3.347m in total of which:

- Amount requested: £437k expected to be sought as de-delegation and
- £2.470m provisionally expected to be automatically retained by the Local Authority for in-year pupil Expansions, but officers are reassessing this for Schools Forum in January 2019.
- These figures need to be assessed nearer the start of 2019/20 financial year to take account of the particular circumstances envisaged for that year.

Per pupil amount: **£14.93**

The table below shows what is funded by this money

Item	Amount (£k)
<b>Schools Block Contingencies' Include:</b> i. Exceptional unforeseen costs which it would be unreasonable to expect governing bodies to meet; ii. Schools in financial difficulty; and, iii. Additional costs relating to new, reorganised or closing schools.	437

### ***What is provided?***

The contingency fund provides for unforeseen expenses in schools during the year. This can include, for example, significant unforeseen and urgent maintenance expenditure (eg asbestos removal; roof repair) and litigation including compensation claims. The contingency also allows funding for significant pupil growth with in the year, but that element will be automatically retained, without de-delegation.

### ***Why de-delegate***

There are a range of possible scenarios that can give rise to unforeseen costs in schools. Without a central fund, individual schools facing an unforeseen significant cost may find themselves unable to operate within their delegated budgets. Individual schools may not by themselves be able to build up sufficient contingency to cover this.

## 2. Free school meals eligibility assessment

Amount requested: £113k

Per pupil rate: **£3.86**

The table below shows what is funded by this money:

Item	Amount (£k)
SLA with the Council's Housing Benefit Service	£113

### ***What does the service provide?***

The service assesses pupils' eligibility for free school meals, either as part of the Housing and Council Tax Benefit claim process or on referral from schools/ other agencies. The service notifies individual schools on a regular basis of their pupils' eligibility. The service also conducts take up campaigns on behalf of schools.

### ***Why de-delegate?***

Providing this service centrally, as part of a service that specialises in assessing benefit entitlement, means that efficiencies can be gained by direct access to DWP information about claimants' entitlement. In addition, the process is integrated with housing and council tax benefit claims, reducing the burden for claimants. Administration at individual school level would be burdensome as entitlement checking would have to be done manually (by paper copies of claimants' entitlement.) Resources can also be used to run effective campaigns resulting in increased take up.

### 3. Licences and Subscriptions

Amount requested: £23k

Per pupil rate: **£0.80**

The table below shows how this funding is used:

Item	Amount (£k)
ALPS (data analysis tool for secondary attainment) CLEAPS – To cover schools from nursery to sixth form – Health & Safety and curriculum support. British Path – provides schools with access to archive material which the British Path owns including footage of major 20th century events.	23

#### ***What does the service provide?***

A number of licenses/ subscriptions are purchased centrally on behalf of schools as set out in the table above.

The DfE have negotiated a national agreement for the following Licences:

- Christian Copyright Licensing International (CCLI) ;
- Copyright Licensing Agency (CLA);
- Education Recording Agency (ERA);
- Filmbank Distributions Ltd (for the PVSL);
- Mechanical Copyright Protection Society (MCPS)
- Motion Picture Licensing Company (MPLC);
- Newspaper Licensing Authority (NLA);
- Performing Rights Society (PRS)
- Phonographic Performance Limited (PPL) and
- Schools Printed Music Licence (SPML).

This means that the authority will be able to hold funding for all maintained schools and academies and pay the DfE for that service. So, schools will no longer be required to maintain individual licenses and, £229k has been deducted from the overall total to arrive at the figures above.

#### ***Why de-delegate***

Purchasing and managing licenses and subscriptions centrally offers significant efficiency benefits from the Council administering the licenses centrally and discounts if buying on behalf of all schools. This also ensures that schools meet all legal requirements, particularly in relation to the use of recorded media as part of their curriculum.

#### 4. Trade Union

Amount requested: £176k

Per pupil rate: **£6.00**

The table below shows what is funded by this money:

Item	Amount (£k)
Backfill cover for Trade Union (TU) facilities time	176
Cost of non-teaching trades union facilities time	
<b>Total</b>	<b>176</b>

#### ***What does the service provide?***

The TU Facilities Agreement ensures that representatives are available to enable Schools to participate in collective bargaining and consultation processes. TU Reps also accompany staff to formal meetings in accordance with an employee's statutory right which enables Schools to progress formal actions under HR Procedures.

#### ***Why de-delegate?***

Holding these budgets centrally enables schools to share the costs of supply cover to support the Tu facilities time agreement, and ensures that individual schools who employ shop stewards are not disadvantaged.



## 5. Behaviour Support and Anti-Bullying

Amount requested: £126.5K

Per pupil rate: **£2.84 Primary**

**£4.44 Secondary**

The table below shows what is funded by this money- we have managed to keep the per pupil cost at the same cost as 17/18, salaries do not include on-costs but have risen to reflect a 2% rise in teachers' salaries and increased pension contributions from Sept 2018. Due to reducing service budgets, it is likely that we may need to include on-costs in the future.

Item	Amount (£k)
Staffing (Behaviour Support Team) 2fte for specialist teaching staff <ul style="list-style-type: none"><li>➤ 1 x post for Primary Behaviour Support and Anti-bullying</li><li>➤ 1 x post for Secondary Behaviour Support and Anti-bullying</li></ul>	115K
Stonewall fee and resources	£1.5K
Budget Holding Lead Professional Resources for SIP	£10K
<b>Total</b>	<b>£116.5K</b>
<b>Per pupil cost for Primary</b>	<b>£2.80</b>
<b>Per pupil cost for Secondary</b>	<b>£4.44</b>

***\* Please note this per pupil cost is for all pupils in the primary and secondary cohorts and, in order to deliver the service at this cost, all schools will need to agree to fund the core offer. Academies and Free Schools cannot choose to de-delegate so would be charged through a Service Level Agreement.***

### ***What does the service provide?***

De-delegated "Behaviour Support", in Tower Hamlets relates to work with a wide range of vulnerable pupils, the majority of which are overseen by the Social Inclusion Panel (SIP) and the Fair Access Panel (FAPP) and/or supported through the Behaviour Support Team. This cohort includes those at risk of exclusion from school, social isolation and emotional distress from bullying and poor outcomes due to multiple vulnerabilities. The Behaviour and Attendance Partnership, to which all Tower Hamlets Schools belong, has identified that they are committed to taking collective responsibility for this cohort and ensuring their outcomes improve.

## ***What does the De-delegated funding cover?***

### **A) 2fte behaviour support and anti-bullying teacher posts, 1 primary and 1 secondary**

Interventions are focussed on:

#### Work with pupils with SEMH who do not have an EHCP includes:

- Targeted work with children and families where there is a high risk of permanent exclusion and targeted work with complex cases to prevent escalation to Tier 3 interventions.
- Behaviour Assessments and plans for children with emerging SEMH concerns. This includes advice, training and support for staff in implementing strategies and intervention programmes such as PSPs.
- Casework with complex admissions cases under the FAP/SIP
- Transition support from primary to secondary for vulnerable groups
- Restorative Justice conferencing to resolve conflicts between individuals or groups of students.
- Anti-bullying and cyber-safety intensive casework

*NB – without this resource the only behaviour support work with pupils on offer would be for those with a statutory EHCP.*

#### Whole School Work with schools on behaviour and exclusions has included:

- Systemic work with schools where local data or national inspections have identified Personal development, Behaviour and Welfare may be a cause for concern. This would include whole school work to identify areas for development, reduce exclusions and improve Behaviour for Learning and social inclusion.
- Whole school Inclusion reviews
- Anti-bullying support and cyber-safety for assemblies, lesson planning and staff training
- Preparation and support for Ofsted
- Immediate access to advice and guidance to Headteachers, SENCOs and Behaviour Leads on complex cases, reducing exclusions and providing reintegration planning following exclusion
- Annual exclusion reports and analysis for schools.
- Advice and guidance to Headteachers and Behaviour Leads on exclusions.
- Budget Holding Lead Professional resources to enable SIP to fund innovative solutions to intractable problems where no other budget exists. This includes emergency transport or guiding support for those otherwise unable to get to school and equipment costs where no other budget exists. (£10K) \*Overhead costs incurred in service delivery are subsumed in all the staffing / SLA costs

### ***Why de-delegate?***

- Most funds for behaviour support work have already been delegated to schools so they can buy in behaviour expertise externally, as and when required. However, the funds above are targeted at the most critical cases, on the cusp of permanent exclusion or other Level 3 interventions such as YOT or Social Care. Such cases can be complex, require ongoing support and intervention and be very costly for an individual school. Providing this support centrally means that the most critical behaviour issues can be managed swiftly as they arise and without the additional costs falling on individual schools.
- Exclusions in both primary and secondary schools are rising, although from a very low base and schools have fewer internal resources to support children at risk of exclusion.
- The DfE and Ofsted have recently focused a lot of attention on the rates of exclusions in schools and there are strong indications that the rate of exclusion and a school's actions to reduce these will have a strong emphasis in the next Ofsted inspection framework.
- The team received 187 requests for interventions last year but only a very small number of schools were able to afford to buy-in at the daily/SLA rate. De-delegation allows for the family of schools to support each other and their community by spreading the cost and allowing for a swift response when needs arise.
- There has been a sharp rise of concerns are being reported to Ofsted and to the Local Authority/ Council members by parents concerned about peer on peer bullying in schools and what they consider to be the failure of the schools to address it. In a number of instances this has escalated into incidents between the parents of the children and also in some cases between the parents and school staff members. The anti-bullying work undertaken assists in addressing and resolving issues between children but also facilitates restorative work between parents and between parents and school staff.
- It also enables prompt deployment of support where Ofsted and/or schools themselves identify a cause for concern regarding behaviour, bullying or safeguarding, which requires systemic advice and in-depth training and guidance. The expertise in the team can provide strategic support to schools and the Behaviour and Attendance Partnership, the Fair Access Protocol, the Social Inclusion Panel as well as to the Local Authority.

## Further information on the Behaviour Support Team

<p><b>Individual Pupil Interventions:</b></p> <p>Most interventions completed by the Behaviour Support Team include a minimum of 10 contacts per case.</p> <p>In the previous year, we received 187 referrals for interventions which required a period of support and intervention. This figure does not include advice and support given over the phone or by email.</p> <p>All of these were allocated within 2 weeks.</p> <p>15 schools accessed individual case support for bullying concerns.</p> <p>An average of 5 contacts from parents per week were made to the Anti-bullying Lead to seek help with concerns.</p> <p>3 Ofsted complaints from parents were resolved and at least one members' enquiry per week.</p> <p>Behaviour Support Team interventions are consistently rated 4.7-4.8 out of 5 in the Annual Survey conducted with schools.</p> <p>Over 90% of pupils referred for intervention following a fixed term exclusion were not excluded again in the next 12 month period.</p>	<p><b>Behaviour Assessments:</b></p> <p>Specialist assessment of individual children to identify needs and provide strategies to meet these.</p>	<p>Schools/families provided with in-depth assessment and strategies to improve behaviour and reduce risk of exclusion</p>
	<p><b>Pastoral Support Plans:</b></p> <p>Advice and detailed guidance provided in implementing PSPs to reduce risk of exclusion</p>	<p>Training and support for process and guidance for individual cases received by schools</p>
	<p><b>Transition Support</b></p> <p>Support and case co-ordination for pupils vulnerable at the point of transition from primary to secondary schools</p>	<p>Pupils referred are supported through the transition in the Summer term and into the Autumn term at secondary.</p>
	<p><b>Exclusion Advice and guidance for individual cases</b></p> <p>Schools seeking information and guidance regarding pupils who are at risk of exclusion</p>	<p>Immediate, detailed advice and guidance given to schools about cases where pupils/groups of pupils are facing exclusion.</p>
	<p><b>Restorative Justice Conferencing</b></p> <p>Intervention to support the resolution of conflict between pupils/groups of pupils that has placed them at risk of exclusion</p>	<p>Schools can refer pupils/groups of pupils for mediation and the support of a Restorative Justice conference to resolve high level conflicts.</p>
	<p><b>Early intervention support for complex cases:</b></p> <p>Identified at point of entry to LBTH or transfer of school. Support for transition to reduce risks of failed place/exclusion. Identification of potential safeguarding risks. Parental support needs identified. Schools provided with advice/guidance and planning support</p>	<p>Individual pupils and families supported through home visits / CAF/TAC process until identified actions completed or new placement secure</p>
	<p><b>Ongoing co-ordination of FAP/SIP individual cases:</b></p> <p>Complex cases with multi-agency support plans that need co-ordinating during change of placements /integration/re-integration</p>	<p>Individual support through home visits</p> <p>EHA /TAC processes completion or review.</p> <p>LP role , support / /advice to families.</p>
	<p><b>Meeting 16 Jan 2019 Item x – Appendix 1</b></p>	

		Liaison with out-of-borough agencies/schools
	<p><b>Response to bullying complaints raised by parents through Ofsted/governing bodies/Members' enquiries:</b></p> <p>Cases where concerns over bullying or school disciplinary processes have resulted in a breakdown of relationships and the need for external support for resolution</p>	Casework and support. Liaison with parents and schools on the management of such cases in terms of education and attendance.

<p><b>Whole school work:</b></p> <ul style="list-style-type: none"> <li>• Policy review</li> <li>• Whole school/group training</li> <li>• Whole school Behaviour/Inclusion reviews/'Health' checks</li> <li>• Department reviews</li> <li>• SENCO support</li> <li>• Exclusion monitoring and analysis to support schools where exclusions are rising.</li> </ul>	<p>Schools supported to improve consistency of practice re promoting positive behaviour for learning practices within a school setting</p>
<p><b>Training:</b></p> <p>Bespoke training sessions on a range of topics from social skills to improving positive behaviour, cyber-safety and promoting inclusion.</p>	<p>Schools provided with training to suit identified development needs of staff and governors, improve Positive Behaviour for Learning and reduce the risk of exclusions.</p> <p>Anti-bullying training included: Cyber safety sessions to parents in six schools at their request; organised a conference for post-16</p>

	LGBTQ students and their allies; delivered training to governors and learning mentors in 10 schools.
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Education  
Funding  
Agency

1. Local authorities will be able to fund central services previously funded within the retained duties rate (for all schools), with the agreement of schools forum. They will be able to fund services previously funded within the general duties rate (for maintained schools only) from maintained school budgets shares with the agreement of maintained school members of the schools forum. The split of services between the two groups is shown at Table 6. References are to the schedules in the current [schools and early years finance \(England\) regulations](#).

Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
<b><u>Statutory and Regulatory duties</u></b>	<b><u>Statutory and Regulatory duties</u></b>
<p>Director of children’s services and personal staff for director (Sch 1, 20a)</p> <p>Planning for the education service as a whole (Sch 1, 20b)</p> <p>Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Sch 1, 20d)</p> <p>Administration of grants (Sch 1, 20e)</p> <p>Authorisation and monitoring of expenditure not met from schools’ budget shares (Sch 1, 20fi)</p> <p>Formulation and review of local authority schools funding formula (Sch 1, 20g)</p> <p>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 1, 20i)</p>	<p>Functions of LA related to best value and provision of advice to governing bodies in procuring goods and services (Sch 1, 20c)</p> <p>Budgeting and accounting functions relating to maintained schools (Sch 1, 20d)</p> <p>Functions relating to the financing of maintained schools (Sch 1, 20e)</p> <p>Authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Sch 1, 20fii)</p> <p>Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Sch 1, 20h)</p> <p>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 1, 20i)</p> <p>Functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Sch 1, 20j)</p>

## ESG DUTIES

Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
<p>Consultation costs relating to non-staffing issues (Sch 1, 20r)</p> <p>Plans involving collaboration with other LA services or public/voluntary bodies (Sch 1, 20v)</p> <p>Standing Advisory Committees for Religious Education (SACREs) (Sch 1, 24)</p> <p>Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Sch 1, 20w)</p>	<p>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 1, 20L)</p> <p>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 1, 20m)</p> <p>Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 1, 20n)</p> <p>HR duties, including: advice to schools on the management of staff, pay alterations, conditions of service and composition/organisation of staff (Sch 1, 20o); determination of conditions of service for non-teaching staff (Sch 1, 20p); appointment or dismissal of employee functions (Sch 1, 20q)</p> <p>Consultation costs relating to staffing (Sch 1, 20r)</p> <p>Compliance with duties under Health and Safety at Work Act (Sch 1, 20s)</p> <p>Investigation and resolution of complaints relating to maintained schools (Sch 1, 20t)</p> <p>Provision of information to or at the request of the Crown relating to schools (Sch 1, 20w)</p> <p>School companies (Sch 1, 20x)</p> <p>Functions under the Equality Act 2010 (Sch 1, 20y)</p> <p>Establish and maintaining computer systems, including data storage (Sch 1, 22)</p>

**ESG DUTIES**

<p>Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)</p>	<p>Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)</p>
	<p>Appointment of governors and payment of governor expenses (Sch 1, 26)</p>
<p><b><u>Education Welfare</u></b></p> <p>Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Sch 1, 10c)</p> <p>School attendance (Sch 1, 11)</p> <p>Responsibilities regarding the employment of children (Sch 1, 29)</p>	<p><b><u>Education Welfare</u></b></p> <p>Inspection of attendance registers (Sch1, 11)</p>
<p><b><u>Asset management</u></b></p> <p>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 1, 10a)</p> <p>General landlord duties for all buildings owned by the local authority, including those leased to academies</p>	<p><b><u>Asset management</u></b></p> <p>General landlord duties for all maintained schools (Sch 1, 10a (section 542(2) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:</p> <ul style="list-style-type: none"> <li>• appropriate facilities for pupils and staff (including medical and accommodation)</li> <li>• the ability to sustain appropriate loads</li> <li>• reasonable weather resistance</li> <li>• safe escape routes</li> <li>• appropriate acoustic levels</li> <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> </ul> <p>General health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc Act 1974).</p>

## ESG DUTIES

Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
	Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012).
<p><b><u>Central support services</u></b></p> <p>No functions</p>	<p><b><u>Central support services</u></b></p> <p>Clothing grants (Sch 1, 10e)</p> <p>Provision of tuition in music, or on other music-related activities (Sch 1, 15)</p> <p>Visual, creative and performing arts (Sch 1, 16)</p> <p>Outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (Sch 1, 17)</p>
<p><b><u>Premature retirement and redundancy</u></b></p> <p>No functions</p>	<p><b><u>Premature retirement and redundancy</u></b></p> <p>Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 1, 25)</p>
<p><b><u>Monitoring national curriculum assessment</u></b></p> <p>No functions</p>	<p><b><u>Monitoring national curriculum assessment</u></b></p> <p>Monitoring of National Curriculum assessments (Sch 1, 23)</p>
<p><b><u>Therapies</u></b></p> <p>No functions</p>	<p><b><u>Therapies</u></b></p> <p>This will be covered in the high needs section of the regulations</p>
<p><b><u>Additional note</u></b></p> <p>Services set out in the table above will also include overheads relating to these services (regulation 8(11) already refers to this for schedule 2 services) for:</p> <ul style="list-style-type: none"> <li>• Ensuring payments are made in respect of taxation, national insurance and superannuation contributions (sch 1, 20e).</li> <li>• Recruitment, training, continuing professional development, performance management and personnel management of staff (Sch 1, 20k)</li> </ul>	

Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)

Responsibilities local authorities hold for maintained schools (funding may be retained centrally from maintained schools only with agreement of schools forum)

- |  |  |
|--|--|
|  |  |
| <ul style="list-style-type: none"><li>• Investigations of employees or potential employees, with or without remuneration (Sch 1, 20l)</li><li>• Investigation and resolution of complaints (Sch 1, 20t)</li><li>• Legal services related to education functions (Sch 1, 20u)</li></ul> |  |

**ESG duties may be funded from centrally retained schools block funding with agreement of schools forum**

## **AGENDA ITEM**

**Title of report: Early Years Block Centrally Retained Funding 2018-19**

**Author of the paper: Jon Graham**

**Officer to present the paper to School Forum: Christine McInnes**

**Details on who has been consulted with on this paper to date:**

Christine McInnes, Pauline Hoare, Abdul Quddus, Kirk Dede

### **Executive Summary:**

At its meeting on 17<sup>th</sup> January 2018, Schools Forum voted not to agree the Early Years central retention for 2018-19 which contributed to the running costs of the three Local Authority Day Nurseries. Subsequently, the Forum agreed to continue the contribution for the first six months of financial year 2018-19.

Following a public consultation, Cabinet decided on 26 September 2018 to proceed with a proposal for a phased closure of the council's three childcare day nurseries (LADNs): Mary Sambrook, John Smith<sup>1</sup> and Overland Day Care Nurseries. The Mayor reaffirmed this decision on 31 October 2018, after call-in by the Overview & Scrutiny Committee

Closing the LADNs will avoid the council incurring operating costs, following the withdrawal of funding by Schools Forum and the lack of viable alternative proposals to keep them open.

The council will implement the required organisational changes procedures in a timely manner. Discussions on additional proposals to extend the availability and affordability of childcare, concentrating on groups and locations which would benefit the most continue.

### **Action required:**

Schools Forum is invited to note the current situation and approve the release the remaining 2018-19 funds.

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<sup>1</sup> John Smith and Overland Day Care Nurseries occupy childcare rooms on the same site as John Smith and Overland Children's Centres.

## **2018/19 Early Years Centrally Retained Budgets.**

### **1. Background.**

- 1.1. The School and Early Years Finance Regulations require a Local Authority (LA) to annually obtain its Schools Forum's permission for any Early Years Block (EYB) funding retained centrally. The Regulations allow a LA to appeal to the Secretary of State for Education in cases where agreement cannot be reached with its Forum.
- 1.2. The Early Years National Funding Formula was introduced in 2017-18 and this reduced the amount that could be centrally retained to 7% in that year, falling to 5% in 2018-19. The Council successfully delayed full implementation, but we are now are obliged to implement this national requirement from April 2019.
- 1.3. In Tower Hamlets, disapplication of the national arrangements enabled continuing flexibility in the use of centrally retained early years funding, some of which contributed towards the running of the Local Authority Day Nurseries.
- 1.4. As the centrally –retained element reduces, Schools Forum has been considering how to use this shrinking funding to best effect.
- 1.5. Following Forum's initial rejection of the proposal that centrally retained monies should continue to contribute to the running of the LADNs (17 January 2018) a special meeting of the Forum was held via a telephone conference on 21 February 2018. There was no dissent on the proposed use of retained budgets other than those for the LADNs, with significant concerns raised regarding the nurseries' value for money.
- 1.6. Following further discussion, the Forum agreed on 7 March the value of the centrally retained budgets with the condition that the allocation to the LADN would be for six months only. Any further funding would be contingent on agreement to closure by the Mayor in Cabinet, with a clear timeline for implementation.

### **2. Revised proposals**

- 2.1 Following a public consultation which supported the proposed closure, Cabinet decided on 26 September 2018 to proceed with a phased closure of the council's three LADNs: Mary Sambrook, John Smith<sup>2</sup> and Overland Day

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<sup>2</sup> John Smith and Overland Day Care Nurseries occupy childcare rooms on the same site as John Smith and Overland Children's Centres.

Care Nurseries. The Mayor reaffirmed this decision on 31 October 2018, after a call-in by the Overview & Scrutiny Committee.

- 2.2 Closing the LADNs will avoid the council incurring additional operating costs, following the withdrawal of funding by Schools Forum and the lack of viable alternative proposals to keep them open.
- 2.3 With regard to the staff, the council will implement the required organisational changes procedures in a timely manner. This will mean that staff have opportunities for redeployment, early retirement or VR under their current terms and conditions. With regard to childcare places, the capital programme which is creating additional places continues to ensure we meet growth targets. Existing and prospective parents are being signposted to alternative exiting childcare providers on request. Effective provision for SEND children is already in place across the borough. New specialist provision is being developed at Children's House Nursery School which is planned to be ready for September 2019. In the event of a delay, interim contingency plans are being put in place.
- 2.4 The availability and affordability of childcare continue to be concerns for families and the council, so discussions on the feasibility of the council providing targeted support to benefit those most in need are underway.
- 2.5 The council plans to:
- Close each nursery in turn, with the last to shut at the end of Summer term 2019, to minimise disruption for children and parents
  - Support the affected parents and children through this change
  - Apply the council's Organisational Change process to manage and support staff through this change
- 2.6.1 Schools Forum is asked to note the current position and consider release of the remaining funds from the retained early years block. This will support the transition process which will include assistance for children and families moving from the day care nurseries too maintained nursery schools, as well as to other early childhood education and care settings including nursery classes in primary schools.

**Schools Forum 5th December 2018**  
**High Needs Block**

**London Borough of Tower Hamlets**  
**School Forum**  
**Executive Summary**

**AGENDA ITEM 06**

**Title of report:**

**High Needs Block Strategy- Update**

**Author of the paper:**

**John O'Shea**

**Officer to present the paper to School Forum:**

**Christine McInnes.**

**Details on who has been consulted with on this paper to date:**

Christine McInnes, Steve Worth.

**Exec Summary:**

The High Needs Working Group was set up to review options for reducing budgetary pressures in the following four agreed areas:

1. Increase special school places
2. Review top-up payments for special schools and resource bases.
3. Review SEMH provision.
4. Reduce LBTH retained budgets

This report is an update on progress.

**Action Required:**

**Schools Forum is invited to note and comment on progress.**

## High Needs Block Strategy.

### 1. Background.

- 1.1. The High Needs Block (HNB) of the Dedicated Schools Grant (DSG) funds the additional cost of pupils with high needs. It includes the funding of pupils placed in special schools, alternative provision and Private, Voluntary and Independent (PVI) provision. It also provides top-up funding for pupils with special needs in mainstream provision and centrally retained high need support services. The HNB covers students in further education to the age of 25. The Local Authority decides how this block is used but it is recommended practice to discuss with the Forum.
- 1.2. The majority of local authorities are facing significant and continuing pressures within their HNBs. Tower Hamlets is no exception and the latest projection for the HNB in 2018-19 is an overspend of £2.9m.
- 1.3. The High Needs Funding Review Group was set up in 2017 to examine ways of managing costs. A report to Schools Forum at its meeting of 17<sup>th</sup> January 2018 set out the recommendations and principles devised by the Group. The overall aim is to reduce budget pressures in the HNB and achieving financial balance over the period 2018 – 2022 through action in the following four review areas.

### 2. Review Update.

#### 2.1. Increase special school places.

A thorough needs analysis and projection for special school places was undertaken which will see a year on year increase in the number of places within special schools up to a total of 120 places in 2021.

#### 2.2. Review top-up payments for special schools and resource bases.

One of the underlying principles of the High Needs Funding Review was:

*Maintaining a commitment to a mixed economy of provision that provides choice for parents / carers and a range of good educational opportunities for children and young people.*

Resource base provision is an important element of the mixed economy of provision for SEND in Tower Hamlets.

An initial review of resource base provision is underway which includes:

- a. identification of gaps within the current resource base provision
- b. the capacity (and willingness) to expand resource base provision within mainstream schools
- c. review of the current provisions (to begin in Autumn term 2019)

The review of the resource base provision will continue into the Spring Term with recommendations to be delivered in the Summer Term.

A further work stream will need to be developed, with schools' representation, to look specifically at the current banding system for **top-up payments**, including benchmarking of other Local Areas and looking at Local Area data and provision.

The scoping of this piece of work has not yet been undertaken and would have a timeline for completion and reporting in the 2019/20 academic year.

### 2.3. Review SEMH provision.

A review of provision for pupils with Social Emotional and Mental Health needs is taking place this term. The review group is being led by an independent chair person and includes officers of the council, CAMHs representatives and representatives from mainstream primary and secondary schools.

The review is looking at a number of areas, including:

- To better understand the routes into requiring an EHC plan and/or alternative provision, with SEMH as the student's principal need.
- To identify examples of strong practice in supporting children and young people with high levels of SEMH need; both in Tower Hamlets and elsewhere in London.
- To consider the financial sustainability of the current education provision and make recommendations.
- As a result of the above, to recommend principles and actions to develop a renewed education continuum / pathways and recommend ways to implement in Tower Hamlets.

The final meeting of the Review group took place on the 28<sup>th</sup> November 2018 and the report, with recommendations is due to be delivered in the Spring Term.

### 2.4. Reduce LBTH retained budgets.

The review of the Support for Learning Service has begun, with a focus on looking at how the amount of the High Needs Funding Block retained by the council can be reduced. This work has included bench marking visits to other Local Authorities and schools have been contacted for meetings to look at a number of areas, including those below:

- Defining the service users – pupils or schools?
- Identifying the needs of service users
- Identifying the options for a new model of support of high needs provision in the borough by LBTH, schools and health partners

This project proposes the reduction of the centrally retained SLS budget by at least £1 million to manage the current pressures on the levels of high needs spend.

This review will run for most of the next academic year and may go into the Autumn term of the 2019-20 academic year.