

MUNICIPAL YEAR 2018/2019 REPORT NO. 17

MEETING TITLE AND DATE:

Schools Forum – 12 December 2018

REPORT OF:

Director of Education

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Item: 4c

Subject:

Central Schools Services Block & De-delegation of Services for 2019/20

1. EXECUTIVE SUMMARY

- 1.1. This report provides information and planned use of new Central Schools Services block (CSSB) and also details of the de-delegated services to be provided.

2. RECOMMENDATIONS

- 2.1 The Forum is asked to approve the continuation of the services listed in Table 2.
2.2 The maintained Schools Forum members are asked to consider and approve the de-delegated services listed in Table 3.

3 BACKGROUND

- 3.1 In previous years, the Schools Forum has been provided with information on the central services funded from the DSG and, as required under the regulations, the Forum has been asked to either confirm or provide a view on the proposed use.

In their latest guidance, for 2019/20, the DfE have confirmed the arrangements for central services.

- 3.2 For 2019/20, the DfE have confirmed there will no change to the arrangements for the Central Schools Services block (CSSB) from those in place in 2018/19. The CSSB brought together funding for:

- the retained duties element of the ESG (for all schools, academies and free schools)
- ongoing central statutory functions, such as admissions (for all maintained schools)
- historic commitments (for all schools, academies and free schools)

The CSSB does not include funding for the Local Authority's general regulatory duties, which were previously provided for maintained schools through the ESG. These services can continue to be provided in another way, i.e. as de-delegated services.

Appendix A provides a summary of the statutory and regulatory duties.

4 FUNDING TO BE ALLOCATED

- 4.1 The CSSB is made up of two elements: statutory duties and historic commitments. For 2019/20, the two elements will be funded as follows:

i. Statutory Duties:

As 2018/19, these will continue to be funded based on a national funding formula. The formula uses pupil numbers and numbers of pupils from a deprived background.

ii. Historic Commitments:

For 2019/20, the historic commitments will be funded at the same level as 2018-19. The DfE have however stated that they will monitor the use of this funding through the Section

251 Budget Statement because there is a presumption that there will be a reduction in expenditure. Furthermore, from 2020-21, the DfE have stated where expenditure has not decreased that they will consider options for reducing it.

Table 1 details the actual funding for 2017/18 and 2018/19 and indicative funding for 2019/20.

Table 1: Funding for the CSSB

Areas of Funding	Actual 2017/18	Actual 2018/19	Indicative 2019/20	Variance
	£000s	£000s	£000s	£000s
Statutory Duties	2,101.8	2,059.0	2,007.1	-51.9
Historical Commitments	912.6	912.6	912.6	-
Total	3,014.4	2,971.6	2,919.7	-51.9

4.2 Use of CSSB for 2019/20

4.2.1 The statutory duties within the CSSB now funded through the NFF has meant a reduction in the overall funding available to support this function. The reduction is being managed through planned savings identified in 2017/18. The services to be provided are detailed in Table 2.

4.2.2 It is noted that the DfE are seeking a reduction in the expenditure incurred for historical commitments. They have suggested any reduction identified can be transferred to the High Needs block (HNB) or pressures in other areas of the DSG. It is unclear the full impact of moving funding from CSSB to HNB or any other area, but it is proposed the current services for 2019/20 be maintained, and where an underspend is identified that it is transferred to the HNB. The services the Authority is planning to fund from the CSSB are detailed in Table 2.

Table 2: Planned Use of CSSB

Areas of Funding	Actual 2017/18	Actual 2018/19	Indicative 2019/20	Variance	Comments
	£000s	£000s	£000s	£000s	
Education Welfare	385	385	385	-	Following last year's review of services supported by this funding, adjustments have been made to reflect the savings required and support required to support statutory functions.
Admissions	624	624	624	-	
Appeals	259	229	150	-79	
Central Licenses	226	226	226	-	
Management and support	518	504	532	28	
Place Planning	90	90	90	-	
Ongoing Functions	2,102	2,058	2,007	-52	
Prudential Borrowing	337	267	257	-10	The change reflects a reduction in the annual costs of repayment. As this year, the funding released will be added to the High Needs block.
Joint Services for Disabled Children	25	25	25	-	
HEART	39	39	39	-	
Out of School Activities	41	41	41	-	
Parenting Support Service	386	386	386	-	
Adolescent Support Service	84	84	84	-	
Historical Commitments	912	842	832	-	

The Forum is asked to confirm their agreement to these services continuing to be funded.

5. DE-DELEGATED SERVICES FOR MAINTAINED SCHOOLS FOR 2019/20

5.1 To support general duties provided to maintained schools and were previously funded from the ESG, local authorities can seek approval for money to be de-delegated from maintained schools to continue to provide these services. The approval for de-delegation is required on an annual basis. It should be noted that academies are not included in this process and may buy back these services from the Local Authority from their allocated budget share.

5.2 Table 3 lists the services seeking de-delegation services and attached at appendix B is information on the use of the funding by each service:

Table 3: De-delegated Services

Areas of Funding	Sector	Total De-delegated Budget	Amount per pupil / FSM	Further Information
		£	£	
Licenses & Subs – CLEAPPS	Prim & Sec	4,693	0.16	See appendix B
NQT Recruitment Support & Applicant Tracking System	Prim & Sec	20,810	0.87	See appendix B
Union Duties	Prim & Sec	84,981	2.90	See appendix B – the Service cost will be reduced from £3.05 to £2.90 for 2019/20.
Free School Meals Eligibility	Prim & Sec	27,830	6.4	
School Improvement Service	Primary	251,640	11.94	See appendix B
Support for Schools in Difficulties	Prim & Sec	126,290	4.31	Information on the Fund has been circulated to all schools. This Fund has been used to support a school and another two schools have indicated that they will be bidding for support. It is suggested that this Fund is supported for 2019/20 because of the impact of changes to the funding arrangements will have on individual schools. If not agreed, then there will be no other funding to support schools.
General Data Protection Regulation	Prim & Sec	90,836	3.1	This service was provided because of the introduction of the regulations. There were some initial difficulties, but the team has worked with individual schools, led workshops and has provided termly briefings, as well as attend Forums and other meetings. It is envisaged that the intensive support to meet the new requirements will not be needed for 2019/20. However, there is a legal duty for schools to have named Data Protection Officer as the main point of contact for any queries relating to breaches, information held, and amendments required to meet statutory and local changes. For this reason, it is suggested that this service continues to be supported as a de-delegated service.
Long Service Awards	Prim & Sec	4,395	0.15	

The maintained schools Forum representatives are asked to consider and agree the de-delegate services.

Statutory and regulatory duties

Responsibilities held for all schools	Responsibilities held for maintained schools only
<p>Director of children's services and personal staff for director (Sch 2, 15a)</p> <p>Planning for the education service as a whole (Sch 2, 15b)</p> <p>Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Sch 2, 22)</p> <p>Authorisation and monitoring of expenditure not met from schools' budget shares (Sch 2, 15c)</p> <p>Formulation and review of local authority schools funding formula (Sch 2, 15d)</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 2, 15e)</p> <p>Consultation costs relating to non-staffing issues (Sch 2, 19)</p> <p>Plans involving collaboration with other LA services or public or voluntary bodies (Sch 2, 15f)</p> <p>Standing Advisory Committees for Religious Education (SACREs) (Sch 2, 17)</p> <p>Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Sch 2, 21)</p>	<p>Functions of LA related to best value and provision of advice to governing bodies in procuring goods and services (Sch 2, 56)</p> <p>Budgeting and accounting functions relating to maintained schools (Sch 2, 73)</p> <p>Functions relating to the financing of maintained schools (Sch 2, 58)</p> <p>Authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Sch 2, 57)</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 2, 58)</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 2, 59)</p> <p>Functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Sch 2, 60)</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 2, 61)</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 2, 62)</p> <p>Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 2, 75)</p> <p>HR duties, including: advice to schools on the management of staff, pay alterations, conditions of service and composition or organisation of staff (Sch 2, 63); determination of conditions of service for non-teaching staff (Sch 2, 64); appointment or dismissal of employee functions (Sch 2, 65)</p> <p>Consultation costs relating to staffing (Sch 2, 66)</p> <p>Compliance with duties under Health and Safety at Work Act (Sch 2, 67)</p> <p>Provision of information to or at the request of the Crown relating to schools (Sch 2, 68)</p> <p>School companies (Sch 2, 69)</p> <p>Functions under the Equality Act 2010 (Sch 2, 70)</p> <p>Establish and maintaining computer systems, including data storage (Sch 2, 71)</p> <p>Appointment of governors and payment of governor expenses (Sch 2, 72)</p>

Education welfare

Responsibilities held for all schools	Responsibilities held for maintained schools only
<p>Functions in relation to the exclusion of pupils from schools, excluding any provision of</p>	<p>Inspection of attendance registers (Sch 2, 78)</p>

Responsibilities held for all schools	Responsibilities held for maintained schools only
<p>education to excluded pupils (Sch 2, 20)</p> <p>School attendance (Sch 2, 16)</p> <p>Responsibilities regarding the employment of children (Sch 2, 18)</p>	

Asset management

Responsibilities held for all schools	Responsibilities held for maintained schools only
<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 2, 14a)</p> <p>General landlord duties for all buildings owned by the local authority, including those leased to academies (Sch 2, 14b)</p>	<p>General landlord duties for all maintained schools (Sch 2, 76a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:</p> <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 <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> <p>Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012)</p>

Central support services

Responsibilities held for all schools	Responsibilities held for maintained schools only
No functions	<p>Clothing grants (Sch 2, 52)</p> <p>Provision of tuition in music, or on other music-related activities (Sch 2, 53)</p> <p>Visual, creative and performing arts (Sch 2, 54)</p> <p>Outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (Sch 2, 55)</p>

Premature retirement and redundancy

Responsibilities held for all schools	Responsibilities held for maintained schools only
No functions	Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 2, 77)

Monitoring national curriculum assessment

Responsibilities held for all schools	Responsibilities held for maintained schools only
No functions	Monitoring of National Curriculum assessments (Sch 2, 74)

Therapies

Responsibilities held for all schools	Responsibilities held for maintained schools only
No functions	This is now covered in the high needs section of the regulations and does not require schools forum approval

Other ongoing duties

Responsibilities held for all schools	Responsibilities held for maintained schools only
<p>Licences negotiated centrally by the Secretary of State for all publicly funded schools (Sch 2, 8); this does not require schools forum approval</p> <p>Admissions (Sch 2, 9)</p> <p>Places in independent schools for non-SEN pupils (Sch 2, 10)</p> <p>Remission of boarding fees at maintained schools and academies (Sch 2, 11)</p> <p>Servicing of schools forums (Sch 2, 12)</p> <p>Back-pay for equal pay claims (Sch 2, 13)</p> <p>Writing to parents of year 9 pupils about schools with an atypical age of admission, such as UTCs and studio schools, within a reasonable travelling distance (new addition to CSSB, to be included in 2018 to 2019 regulations)¹</p>	No functions

Historic commitments

Responsibilities held for all schools	Responsibilities held for maintained schools only
<p>Capital expenditure funded from revenue (Sch 2, 1)</p> <p>Prudential borrowing costs (Sch 2, 2(a))</p> <p>Termination of employment costs (Sch 2, 2(b))</p> <p>Contribution to combined budgets (Sch 2, 2(c))</p>	No functions

Services funded through De-delegation

Service:	CLEAPSS: Subscription and Licenses (Consortium of Local Education Authority Provision for Science Services)
Service Provided	<p>There are two parts to the central licenses. These are:</p> <p>(a) Licenses negotiated by the DfE on behalf of schools, academies and free schools. The licenses covered by the national agreement include:</p> <ul style="list-style-type: none"> • Copyright Licensing Agency (CLA); • Education Recording Agency (ERA); • Filmbank Distributors Ltd. (for the PVSL); • Motion Picture Licensing Company (MPLC); • Newspaper Licensing Authority (NLA); • Schools Printed Music Licence (SPML); • Christian Copyright Licensing International (CCLI) (new); • Mechanical Copyright Protection Society (MCPS) (new); • Performing Rights Society (PRS) (new); and • Phonographic Performance Limited (PPL) (new). <p>The arrangements for the purchase of these licenses are managed by the DfE and then cost charged against each local authorities DSG. They do not form part of the de-delegation arrangements.</p> <p>(b) CLEAPSS (Consortium of Local Education Authority Provision for Science Services) license is purchased by the Local Authority at a discounted rate on behalf of maintained schools. The Local Authority arrangements are available for academies and free schools to purchase as a traded service.</p> <p>CLEAPSS provides general support for practical work with information, advice and training about laboratory design and practice, technicians and their jobs, equipment, materials, living organisms and especially health and safety. It offers more limited support and advice within technology, art and design and sometimes other practical subject.</p> <p>There is a requirement for schools with radioactive sources to have a trained Radiation Protection Officer to test and recommend how the affected sources should be disposed under the Environment Permitting and health and safety regulations.</p>
Service Delivery:	<p>To maintained schools as a de-delegated service and academies, free schools and colleges as a traded service.</p> <p>The aim is to provide schools with the latest advice and guidance in delivering the science curriculum and managing the arrangements for radioactive sources on site.</p>
If not approved	<p>Schools won't continue to receive the license at a preferential rate but will still be required to purchase the provision to support delivery of the science curriculum and legal requirements in relation to radioactive sources on site.</p>

Service:	School Standards and Support – Primary SIA Programme
Provision:	Core School Improvement offer to Primary Schools
Service Delivery	<p>The Service:</p> <ul style="list-style-type: none"> • Acts as a supportive and challenging partner • The SIA support includes access to professional supported self-reviews for all maintained primary schools to work towards: <ul style="list-style-type: none"> ○ Being at least good and more will be outstanding ○ Being above the floor standard ○ Achievement gaps for disadvantaged pupils being below 10% at all Key Stages. • Identifies the most appropriate and effective strategies to secure sustainable improvement – interventions that work • Support Headteachers Performance management in line with the current legislation. • Provides additional support for Ofsted grades 3 and 4 schools to ensure that all children have access to at least a good standard of education. • Provides regular information and good practice sharing through briefings i.e. Headteachers termly briefings and Inspection Club sessions. • Provides support for Ofsted preparation including governance support • Provides access to projects and bespoke support including working with teaching schools, NLEs and ELEs and further opportunities for SIA service to direct project support to individual schools via partnerships with external institutions such as universities and other research bodies • All maintained primary schools access the offer <p>Through the de-delegated funding, the Service works with primary schools to:</p> <ul style="list-style-type: none"> • Provide enhanced SIA support to all maintained schools to ensure that schools are not categorised as schools causing concern (grade 3 or 4 on the School Intervention and Support Strategy) • Support schools through inspections • Reduce the number of schools categorised as Schools Causing concern • Supports Headteachers Performance Management • Broker support for schools from Teaching School Alliances and local schools as appropriate • Access, through briefings, to appropriate information from a range of strategic partners. • Develop capacity of the SIA team across the LA
If not approved	<ul style="list-style-type: none"> • If not funded, there will be a reduced level of support that could be offered on a buyback basis but may not be as reactive as the current service. • Redundancies and difficulty in meeting our CPD and externally funded project deadlines. • Inability to support schools before they are categorised by Ofsted or become a school causing concern
Other implications	<ul style="list-style-type: none"> • The joint working between the Council and schools ensures compliance in meeting statutory responsibilities and if funding was withdrawn, there is a significant reputational risk to the Council, schools and the service. • Could lead to more forced academisation that could have been prevented if support provided by the service had been available • Insufficient capacity to apply for additional funding to support schools to meet their statutory obligations.

Union Duties	
Service Provided	<p>The service provides an effective route for statutory and collective consultation and bargaining, a framework and structure for non-maintained schools to manage industrial relations and access to branch official from recognised unions, it includes:</p> <p><u>Consultation, negotiation and representation, for trade union members on matters connected with terms and conditions, including:</u></p> <ul style="list-style-type: none"> • pay • hours of work • holidays and holiday pay • sick pay arrangements • pensions • equality and diversity • notice periods • the working environment • job evaluation • local agreements (e.g. Teaching Assistant /Nursery Nurse agreements) • Health and Safety <p><u>Attendance and representation at meetings with and on behalf of union members in relation to: -</u></p> <ul style="list-style-type: none"> • grievances • disciplinary • attendance management • restructuring and/or redundancy • pay & grading appeals • TUPE transfers • Health and Safety • and any other industrial relations issues where school-based employees have a statutory right to representation. • members at management meetings on matters of local and joint interest, i.e. policy changes <p><u>Benefits:</u></p> <ul style="list-style-type: none"> • provides access to an effective route for statutory and collective consultation and bargaining • access to branch officials from NUT, NASUWT, UNISON and GMB unions • access to a framework and structure for academies to manage industrial relations • promotes and maintains partnership working, best practice and consistency • facilitates early resolution and reduces risk of disputes and Employment Tribunal claims • eliminates and reduces the need to for schools to establish, agree and co-ordinate release arrangements and paid time off for duties and training • eliminates or reduces cover and supply costs and resource implications • reduces the disruption to lessons and children’s education caused by releasing school-based reps for meetings • reduces the demands on local or workplace representatives. <p>Costs have been able to be reduced this year due to the number of schools committing to purchase the traded service and the number of pupils this covers.</p> <p>ACAS provides for ‘paid time off to carry out union duties’. The aim is that by buying into facilities time the officers who do this are a) more knowledgeable, b) more available and c) do not call on the local rep to request such time off (which they are entitled to).</p> <p>Compared with other London Boroughs of the 5 Boroughs who responded, we were the most cost-effective. This could be attributed to the years of investment to maintain good relationships with the Trade Unions, so it is a credit to the schools and headteachers over the years that keeps the cost as low as it is.</p>
Service Delivery:	All maintained schools

If not approved	Schools would be offered a traded service to buyback.
Other implications	Management of the traded service, increased invoicing (since all except 2 non-maintained schools in Enfield currently subscribe to the traded service, and the expectation would be that schools would want to continue to have quick access to the trade unions to resolve disputes)

Service	Newly Qualified Teacher Recruitment and Applicant Tracking System
Service Provided	<p>The De-delegation funding enables staff release time, administrative time and management of appropriate contracts for:</p> <ul style="list-style-type: none"> • Attendance at various University 'Teacher recruitment fairs' across London, where LB Enfield schools are represented and promoted to trainees in their final year of study for B.A. Education degrees, School Direct and PGCE courses • The development of promotional literature about Enfield and the NQT pool for distribution to Universities nationally. • Development of the schools vacancy website and applicant tracking system (www.enfieldschools.co.uk) upon which many school vacancies are advertised, and through which applicants can source information about the NQT Pool, the Supply Pool, and general information about working in Enfield. • The Applicant Tracking system will allow for applicant's details to be retained, schools to have access to 'talent pools' and for prospective teachers to have details of vacancies sent direct to their inbox rather than waiting for them to look at our website. Schools will have the ability to increase the functionality to support a reduction in their administration, 'blind' shortlisting and easier response to candidates and referees, hopefully to be available from mid-Nov 2018
Delivery of service:	All maintained schools
If not approved	Applicant tracking system and advertising website stopped. Fairs not attended, and no promotional literature provided.
Other implications	Enfield not promoted as a place to teach or be employed in schools.