

Education Resources Group
Schools Forum

Meeting Date 1 December 2020
Meeting Date 9 December 2020

Subject: Central Schools Services Block & De-delegation of Services for 2021/22

Cabinet Member: Cllr Jewell

Report Number: 23

Item: 5e

Purpose of Report

1. This report:

- provides information on the planned use of the Central Schools Services block (CSSB);
- requires the maintain schools representatives to consider and agree the central services available for de-delegation.

Recommendations

2. (a) The Forum is asked to approve the continuation of the services detailed in paragraph 4 and listed in Table 2.
- (b) The maintained Schools Forum members are asked to consider and approve the de-delegated services as detailed in paragraph 5 and listed in Table 3. If any service is not agreed to be de-delegated then the change is implemented from September 2021.

Relevance to the Council's Corporate Plan

3. The Council has an oversight and responsibilities for maintained schools. The changes in the regulations governing school funding has led to the removal of all funding to support these responsibilities. To access any funding from the Dedicated Schools Grant to support these functions is by de-delegating funding from maintained schools. If this is not forthcoming, then the Council will expect individual schools to take over responsibility for these functions but there will be a cost for monitoring and following up that this was being done. The loss of de-delegation will lead to redundancies and this will be another additional cost for the Council.

Main Consideration for the Schools Forum

4. Background

- 4.1 In previous years, the Schools Forum has been provided with information on the central services funded from the DSG. In line with the regulations, the Forum has then been asked to either confirm or provide a view on the proposed use.

In their latest guidance the DfE have confirmed, for 2021/22, there will be no changes to the responsibilities covered by the Central Schools Services block (CSSB).

- 4.2 The CSSB was introduced as part of the school funding reforms. brought together funding for:

- the retained duties element of the Education Services Grant (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 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 2021/22, the two elements will be funded as follows:

i. Statutory Duties:

This element is funded based on a national funding formula. The formula uses pupil numbers and numbers of pupils from a deprived background.

ii. Historic Commitments:

The DfE are continuing with their policy of reducing funding for historic commitments and for 2021/22, there is a further reduction in the funding provided for this element.

Table 1 details the actual funding for last three years and indicative funding for 2021/22.

Table 1: Funding for the CSSB

Areas of Funding	Actual 2017/18	Actual 2018/19	Actual 2019/20	Actual 2020/21	Indicative 2021/22	Variance
	£000s	£000s	£000s	£000s	£000s	£000s
Statutory Duties	2,101.8	2,059.0	2,007.1	1,947.8	1,898.8	-48.7
Historical Commitments	912.6	912.6	833.5	730.1	584.1	-146.0
Total	3,014.4	2,971.6	2,925.7	2,677.6	2,482.9	-194.7

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 funding cut is being managed through allocating a lower amount to some services. Table 2 details the services to be provided.

4.2.2 As stated above, the DfE has implemented a cut to the funding to be made available for historic commitments. An assessment has been carried out and the savings required for 2021/22 have been applied to the Parenting Support Service. The DfE is likely to continue to reduce the funding available through historic commitments over the next few years. The DfE has indicated that any additional reductions identified can be transferred to the High Needs block (HNB) or pressures in other areas of the DSG. It is still unclear the full impact of moving funding from CSSB to HNB or any other area, for this reason no further cuts are proposed for 2021/22. 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				Indicative	Var	Comments
	2017/18	2018/19	2019/20	2020/21	2021/22		
	£000s						
Education Welfare	385	385	385	385	366	-19	The savings to be met by reducing the budget for Education Welfare and SACRE.
Admissions	624	624	624	624	604	-	
Appeals	259	229	199	139	139	-	
Central Licenses	226	226	226	226	226	-	
Management & support	518	504	484	484	454	-30	
Place Planning	90	90	90	90	90	-	
Ongoing Functions	2,102	2,058	2,007	1,948	1,899	-49	
Prudential Borrowing	337	267	257	247	237	-10	Annual reduction in repayments.
Joint Services for Disabled Children	25	25	25	23	23	-	Children Services will be reducing the budget for the Parenting Support Service.
HEART	39	39	39	-	-	-	
Out of School Activities	41	41	41	37	37	-	
Parenting Support Service	386	386	386	347	211	-136	
Adolescent Support Service	84	84	84	76	76	-	
Historical Commitments	912	842	832	730	584	-146	

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 where de-delegation is sought.

Table 3: De-delegated Services

Areas of Funding	Sector	Estimated De-delegated Budget	Amount PP / FSM	Comment
		£	£	
Licenses & Subs – CLEAPPS	Prim & Sec	4,082	0.16	Statutory requirement
Free School Meals Eligibility	Prim & Sec	24,109	6.4	
NQT Recruitment Support & Applicant Tracking System	Prim & Sec	17,374	0.87	
Union Duties	Prim & Sec	73,991	2.90	
School Improvement Service	Primary	203,601	11.94	
Support for Schools in Difficulties	Prim & Sec	109,965	4.31	
General Data Protection Regulation	Prim & Sec	79,093	3.1	Statutory requirement
Long Service Awards	Prim & Sec	3,827	0.15	If service not de-delegated, then a charged will be made to the individual school's budget for the cost of any employee eligible for 25 years' service award.

- 5.3 During the Summer term, the Forum was advised that primary headteachers had indicated, for 2021/22, they may not support the de-delegation of most of the services listed in Table 2. In response to this indication from primary headteachers, an impact analysis for each service was carried out and presented to the Forum. The impact analysis highlighted the effect of not de-delegating would have on schools in terms of meeting statutory obligations, additional workload and costs and also the effect on the Authority in terms of job losses and requiring services to restructure.

The Forum advised that the Headteacher representatives on the Forum share the impact analysis with headteacher colleagues for them to re-consider their initial thoughts.

The primary Headteacher representatives shared the impact analysis with headteacher colleagues and sought some more information in relation to Union Duties. The Union representatives attended the Education Resources Group meeting last week to outline their role and answer questions from the Group. Following this discussion, the Education Resources Group recommended that de-delegation be supported for 2021/22 if the Unions provide a document outlining their role and expectations for all parties and this be supported by service level agreement. If this information was not circulated by the end of the Summer term, then the de-delegation arrangement be withdrawn.

- 5.4 The maintained schools Forum representatives are now asked to consider and agree to the de-delegation of services listed in table 3. If the representatives decide not to continue to de-delegate any service that the change is implemented for the start of the academic year 2021. This will enable each service to manage the change both in terms of service delivery and restructuring their service.

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 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>	<p>Inspection of attendance registers (Sch 2, 78)</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
<p>No functions</p>	<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
<p>No functions</p>	<p>Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 2, 77)</p>

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