
Subject:	Central Services School Block and De-delegation of Central Services – 2022/23	
Cabinet Member:	Cllr Uddin	
Report Number:	21	Item: 4d

Purpose of Report

1. This report:
 - provides information on the planned use of the Central Schools Services block (CSSB);
 - requires the maintained 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 central services detailed in paragraph 5 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 6 and listed in Table 3. It is recommended if any service is not agreed for de-delegation, then the change is implemented from September 2022.

Relevance to the Council's Corporate Plan

3. The Council has oversight and responsibility for statutory duties for all schools and de-delegated services for maintained schools. To enable the Council to deliver statutory duties to all schools, it is important to maintain the use of resources listed in this report.

The changes in the school funding regulations has led to the removal of all funding to support the Council's responsibilities for maintained schools. To access any funding from the Dedicated Schools Grant to support these functions, it must be de-delegated 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 to the Council for monitoring and following up that this was being done. Any change in services being de-delegated could lead to redundancies and this will be another additional cost for the Council.

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 2022/23, 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 and 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 but have to be provided as de-delegated services.

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

- 4.3 The DfE has recently published the indicative funding for 2022/23 and proposals for 2023/24. The remainder of this report details the allocation and use of the funding for 2022/23 and outlines potential changes for 2023/24.

5. Funding

- 5.1 The CSSB is made up of two elements: statutory duties and historic commitments. For 2022/23, the two elements will be funded as follows:

(a) 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.

To bring Enfield's allocation in line with the amount calculated through the NFF has resulted in some annual variations. The changes in funding have been managed by adjusting amounts allocated to individual services.

(b) Historic Commitments:

Origins of funding historic commitments were to provide services that benefitted and enabled pupils to continue to access education. Following the introduction of the school funding reforms, this element was removed from the regulations. Since the removal of historic commitments from the regulations, the DfE has implemented a year on year reduction in funding with the view that all funding for historic commitments ceases when the funding reforms are fully implemented or when contractual arrangements such as prudential borrowing come to an end.

Children's Services are currently assessing how the reduction in funding will be managed across the services currently funded through historical commitments.

Table 1 details the actual funding for last three years and indicative funding for 2022/23

Table 1: Funding for the CSSB

Areas of Funding	Actual 2017/18	Actual 2018/19	Actual 2019/20	Actual 2020/21	Actual 2021/22	Indicative 2022/23	Variance
	£000s	£000s	£000s	£000s	£000s	£000s	£000s
Statutory Duties	2,101.8	2,059.0	2,007.1	1,947.8	1,952.8	2,057.4	104.5
Historical Commitments	912.6	912.6	833.5	730.1	584.1	467.3	-116.8
Total	3,014.4	2,971.6	2,925.7	2,677.6	2,536.9	2,524.6	-12.3

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	2022/23			
	£000s								
Education Welfare	385	385	385	385	385	385	0		
Admissions	624	624	624	624	515	515	0		
Appeals	259	229	199	139	139	139	0		
Central Licenses	226	226	226	226	226	226	0		
Management & support	518	504	484	484	454	702	248		
Place Planning	90	90	90	90	90	90	0		
Ongoing Functions	2,102	2,058	2,007	1,948	1,809	2,057	248		
Prudential Borrowing	337	267	257	247	237	227	-10	Annual reduction in repayments	
Joint Services for Disabled Children	25	25	25	23	23	23	0		
HEART	39	39	39	-			0		
Out of School Activities	41	41	41	37	37	37	0		
Parenting Support Service	386	386	386	347	211	104	-107		
Adolescent Support Ser.	84	84	84	76	76	76	0		
Historical Commitments	912	842	832	730	584	467	-117		

5.2 Indications for 2023/24

Forum members will remember that the DfE recently published a consultation document on the move the hard NFF for mainstream schools. In this consultation, the DfE were proposing to remove all funding for the CSSB from the DSG and providing it as part of the local government finance settlement. The outcomes from the consultation are awaited,

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

6. **De-delegated Services for Maintained Schools (2022/23)**

6.1 Previously, the Education Support Grant (ESG) funded the general duties provided to maintained schools. When ESG funding ceased, local authorities were required to seek approval for money to be de-delegated from maintained schools to continue to provide the services covered by ESG. The regulations require annual approval for de-delegation. It should be noted that academies are not included in this process and may buy these services from the Local Authority from their allocated budget share

6.2 For 2021/22, the primary sector chose not to de-delegate a number of services and therefore these services ceased to be de-delegated to primary schools as at 31 August 2021.

6.3 **Long Service Awards:** The reduction in funding due to withdrawal by primary schools meant that it was not possible to manage the provision of long service awards for staff in schools for part-year. This withdrawal also highlighted that the Council's policy of provision of long service awards for school and Council staff had created an inequity and unfairness. Following discussions with primary colleagues, it was agreed that de-delegation of long service awards would be reinstated for primary schools.

- 6.4 **School Improvement Service:** As stated above, the removal of the ESG led to a funding gap to support statutory and core services for maintained schools. The funding gap for some of the statutory services was covered through de-delegation and others were supported by other grant funding from the DfE.

The DfE identified that Councils' school improvement activities could be divided into:

- core improvement activities, which Councils are required to do;
- additional improvement services which Councils may opt to do by seeking agreement of maintained schools.

- 6.4.1 **Core Improvement Activities:** Since September 2017, the Government has provided the School Improvement Brokerage grant to enable local authorities to continue to monitor performance of maintained schools, broker school improvement provision, and intervene as appropriate. The grant is calculated by providing an amount per maintained school.

In October 2021 half term, the DfE published a consultation document, which included a proposal to reduce the School Improvement Brokerage grant by half from September 2022 and then cease total funding from 2023/24. Deadline for submitting responses was 26 November 2021. The link to the consultation document is as follows: <https://www.gov.uk/government/consultations/school-improvement-monitoring-and-brokering-grant-payment-conditions>.

The Brokerage grant has enabled the School Improvement Service to provide vital support to schools and deliver the statutory aspect of the School Intervention and Support Programme, as well as liaise with the Regional Schools Commissioner. The cessation of this grant is going to impact on the Service's ability to continue to support statutory services to schools. The grant currently enables the School Improvement Service to discharge the statutory responsibilities for maintaining high quality standards of education and intervening in schools causing concern as set out in the School Standards and Framework Act (1998), the Education and Inspections Act (2006) and the most recent Department for Education Schools Causing Concern: Statutory Guidance for Local Authorities (September, 2019).

The rationale provided for the cessation of the grant is that the number of maintained schools where the Council has issued a warning notice is less than 1 in 5 nationally and where a school's performance is found to be inadequate, then this school would be required to convert to an academy. Upon academisation, the school becomes the responsibility of the Secretary of State.

- 6.4.2 **Additional activities:** Separately, this year for secondary, and in previous years for primary, funding was de-delegated for the School Improvement Service to deliver and support areas identified by the statutory support provided to schools.

- 6.4.3 **Proposal:** Maintained schools representatives are being asked to consider and agree de-delegation of funding:

- (a) Pending the outcomes from the consultation, to continue to provide the core duties covered by the School Brokerage grant from September 2022. This will enable the Council to monitor performance for all maintained schools and provide strategic support to schools identified as causing concern. The total requirement for de-delegation for the full academic year is £216k for both primary and secondary schools. The individual school allocations are calculated using number of pupils recorded on the October 2021 Pupil Census;
- (b) For resources and support required to deliver additional school specific support for areas identified by the statutory support. The total de-delegated for a full academic year is £183k (£83k from primary and £100k from secondary).

- 6.4.4 If de-delegation is not agreed, then individual schools will have to provide assurance and data / information to confirm that the relevant support is in place to meet the statutory requirements and deliver the areas identified for improving educational standards in their schools. If there is a concern, the Authority will have to follow the legislative process and will be required to charge costs to the individual school's budget.

6.5 **Support for Schools in Difficulties:** The current funding and regulatory framework do not allow the retention of a contingency fund for supporting schools in difficulties or at risk beyond the areas covered by the core statutory and additional support provided by the School Improvement Service. Therefore, in previous years, funding has been de-delegated to support schools in difficulties. Over the past year, the funding has been incorporated to be part of the School Intervention and Support Programme and its use is monitored by the Excellence Learning Partnership. This provided valuable access to resources to support further interventions to enable improvements and raising of standards

Maintained schools representatives are being asked to consider and agree their support to continue to de-delegate funding for schools require additional interventions and support.

6.6 Table 3 below details all the de-delegated services and cost per pupil available to both primary and secondary schools for 2022/23. Please note the figures quoted will need to be updated for the October 2021 Pupil Census.

Table 3: De-delegated Services

Areas of Funding	Sector	Estimated De-delegated Budget	Amount PP / FSM	Comment
		£	£	
Licenses & Subs – CLEAPPS	Prim & Sec	4,012	0.16	Statutory requirement
Free School Meals Eligibility	Prim & Sec	28,890	6.4	
NQT Recruitment Support & Applicant Tracking System	Prim & Sec	17,028	0.87	
Union Duties	Prim & Sec	79,243	3.16	
School Improvement Service	Prim & Sec	108,093	4.31	Statutory requirement If cut, to cover the duties funded by the brokerage grant.
School Improvement Service	Sec	100,308	11.94	Support and resources for areas identified for improvements.
Support for Schools in Difficulties	Prim & Sec	108,082	4.31	One off funding to provide additional resources to schools in difficulties that may or may not be in an Ofsted Category.
General Data Protection Regulation	Prim & Sec	77,739	3.1	Statutory requirement
Long Service Awards	Prim & Sec	3,762	0.15	

6.7 The maintained school representatives are asked to confirm the central services to be de-delegated from 1 April 2022. It should be noted where a service is not de-delegated, then any existing de-delegation arrangements will cease on 31 August 2022.

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Date of report November 2021

Background Papers: Previous Schools Forum reports, DfE guidance documents and regulations governing school funding.

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