

Schools Forum Exception Meeting

Date: 23 February 2023

Time: 4.30pm

Venue: Virtual Teams Meeting

Reports

Reports will be emailed to members prior to the meeting. Papers can also be accessed on the Council's website

<https://www.calderdale.gov.uk/v2/residents/education-and-learning/schools/services/a-z/schools-forum>

Members of the Forum

Primary Heads Maintained x 2

Mungo Sheppard (Ash Green Primary School)

Jo Buckley (Old Town Primary School)
(Co-Vice Chair)

Primary Governors Maintained x 2

Adam McNicholl (Hebden Royd Primary School)

Mary Carrigan (Castle Hill Primary School)

Primary Governor Substitute

James Ratcliffe (St Augustine's Junior and Infant CE (VA) School)

Secondary Head Maintained x 1

Tony Guise (Calder High School) (Chair)

Secondary Head Teacher Substitute

Gill Shirt (Todmorden High School)

Secondary Governor Maintained x 1

Vacant

Special School Representative x 1

Debbie Sweet (Highbury School)

Academy Members x 10

Karen Morley (Scout Road Academy)
(Co-Vice Chair)

John Eccleston (Warley Road Primary Academy)

Desmond Deehan (North Halifax Grammar)

Julie Kendall (Together Learning Trust)

Dan Burns (Old Earth Primary School)

Richard Horsfield (Brighouse High School)

Brian Robson (Brighouse High School)

Darren Senior (Beech Hill School)

Phillip Hannah (The Whitley AP Academy)

Bill Montague (The Crossley Heath School)

Academy Substitutes

Ivan Kuzio (Trinity MAT)

Emma Casson (North Halifax Grammar)

Roman Catholic

Brenda Monteith (Highbury School)

Church of England

Anne Craven (St John's (CE) Primary Academy, Clifton)

Calderdale Federation of Education

Gillian Poole (National Education Union)

Staff Unions

Post 16 Representative

Vacant (Calderdale College)

Early Years Representative

Vacant

Cllr Adam Wilkinson, Cabinet Member for Children's Social Care and Lead Member for Children's Services. (Observer status only)

AGENDA

1. **Substitutes nominated for this meeting and apologies for absence. (To be notified in writing 24 hours in advance.)**
2. **Members Interests** – Members are reminded of the need to declare any interest they might have in relation to the items of business on this agenda.
3. **Admission of the Public** - it is not recommended that the public be excluded from the meeting for the consideration of the items of business on this agenda.
4. **Minutes of the Schools Forum held on 12 January 2023.**

To approve the Schools Forum minutes.

- | | | |
|-----|--|------------------------|
| 5. | Admissions and School Rebuilding Programme | Richard Morse |
| | Decision | |
| 6. | Delegation of school improvement functions – addendum | Connie Beirne |
| | Decision | |
| 7. | Review of services to schools
(Allocation of 2023/24 Central Service Schools block (CSSB) central spend) | Michael Holgate |
| | Decision | |
| 8. | Early Years funding – addendum | Martyn Sharples |
| | Consultation and Decision | |
| 9. | Allocation of 2023/24 High Needs Block | Steve Drake |
| | Information | |
| 10. | Work Programme | Paul Tinsley |
| | Information | |

11. Any Other Business

Chair

Questions to be submitted a **minimum** 3 days prior to the meeting in writing to:

CalderdaleSchoolsForum@calderdale.gov.uk

Questions will only be permitted if relevant to the business of the Forum and at the discretion of the Forum Chair.

12. Future Dates

Paul Tinsley

27 April 2023

22 June 2023

All meetings will start at 4pm

Venue: virtual Teams Meeting

CALDERDALE SCHOOLS FORUM
12 January 2023 – Virtual Meeting Via Teams

PRESENT:

Tony Guise (Secondary Maintained) – Chair
Richard Horsfield (Academy)
Brenda Monteith (Roman Catholic)
Gill Poole (Unions)
John Eccleston (Academy)
Karen Morley (Academy) – Co Vice Chair
Mungo Shepherd (Primary Maintained)
Mary Carrigan (Primary Governors Maintained)
Phil Hannah (PRU)

IN ATTENDANCE:

Paul Tinsley (AD Education and Inclusion)
Ian Hughes (Legal Officer)
Richard Morse (Senior Commissioning Officer – School Organisation and Planning)
Jane Davy (Finance Officer)
Connie Beirne (Interim Service Manager for Early Years and School Strategy and Performance)
Martyn Sharples (Finance Officer)

APOLOGIES

Darren Senior (Academy)
Jo Buckley (Primary Maintained) – Co Vice Chair
Julie Kendall (Academy)
Bill Montague (Academy)
Dan Burns (Academy)
Adam McNichol (Primary Governors Maintained)
Brian Robson (Secondary Governor Academy)

1. Substitutes nominated for this meeting and apologies for absence

None.

2. Members Interests

Jo Buckley: I need to declare an interest for item 7 and item 9 specifically. I am an Associate SEO and Old Town has also received money through the Falling Roll Fund (and may receive it this year).

John Eccleston: on the Partnership Board and Calderdale Governors Association.

3. Admission of the Public

None.

4. Minutes of the Schools Forum held on 1 December 2022

Minutes approved.

5. Forum Constitution and Terms of Office

Ian to check to make sure membership is correct, or brought to the forum to be put right.

To bring back to the next full meeting on 27 April 2023.

6. Summary of schools operational guidance

Tony has looked into the powers and operational guidance for Schools Forum. Tony to pull out the implications on decision making for members and will advise members on each agenda item.

7. Delegation of School improvement functions

Q: financial implications, there looks to be a 105K shortfall, will this deficit be provided by the Council? This cannot come from the Central Services budget, therefore Schools Forum Members are not sure if they can make a decision today.

Connie confirmed the 105K will be provided via traded income, base budget and bringing forward an underspend – she is confident that there will be money available to support the work of the team.

Q: is part of the 105K coming from traded services provided by academies? Yes, as academies to commission work from the service.

Some members commented that the funding calculations were not transparent and further clarification was needed.

Q: how much of the 105K is underspend? 35K. Is there also a risk that if the 105K is not secured via this method, the Local Authority will come back to Schools Forum to request further funding? No, once set this legally cannot be changed.

Q: Members noted that the service is very parred down, however Primary Heads feel the model is very good value, due to the quality of people involved and levels of support are really good. They are also keen to do some support work with 'green' schools, as set out in the proposal. The model seems sustainable, even if the finances are not there going forward. If the associates are good, then schools will buy in and generate income and the outline would suggest that keeping in touch with good schools will help them to outstanding.

Q: Paul Tinsley advised that the associate model has been implemented deliberately so that we did not take on new contracts, due to vulnerability over funding. The Local Authority has a statutory duty to meet and the associate model does represent the most flexible model.

Q: Mary Carrigan – if associates are good, then schools will buy in and generate income. Support model that keeps in touch with good schools and help good to outstanding is also of real benefit.

Members are still not clear why this is not coming out of the Local Authority general funds, and not de-delegation, and need to be clear of the impact if this is not de-delegated. For this reason, the Chair made the decision delay the decision B until he has had time to discuss with his secondary colleague and to ask for an addendum to this report with extra information around the implications for schools not de-delegating, impact on budgets and a statement on central held funds and underspend.

Vote taken on model A: recommendation (f) to continue the existing model to the end of the summer 2022/2023.

Approved unanimously.

8. Schools funding 2022-24 update

No questions from Forum Members.

Approved and go ahead and feed figures in going forward.

9. Falling Rolls

Q: the Chair asked if plans were in place with a view to forecast falling rolls going forward; Richard Morse responded to say yes, in a meeting with the DfE this morning the Local Authority was asked to come up with a list to be considered, looking at rebuilding to future capacity, rather than current capacity.

Approved unanimously.

10. Growth Fund update

Forum members noted the actual expenditure for 2022/23 and the resultant underspend.

Forum members voted unanimously to accept recommendations and agreed not to retain any funding for growth for 2023/24.

11. De-delegation including Union facilities

Q: LA Maintained Schools Forum Members agreed this was value for money and works well; however, not sure how this works for academies. Confirmation that academies can buy in and many do, as this is a valued service. Some academies choose not to buy in, but they do need to buy in from another source.

Q: of the 40,000 the Local Authority keep back 10% for an administration fee; is that correct? Jane Davy clarified that it does take a considerable amount of time to administer, due to the different unions; this also includes Payroll time, use of IT systems and reports to various meetings, including Schools Forum.

Vote by Primary Heads; unanimous agreement to approve the recommendations and increase.

Vote by Secondary Heads; unanimous agreement to approve the recommendations and increase.

All 3 recommendations agreed.

12. Early Years Funding

Martyn clarified that since the report was sent out to Schools Forum Members, the final figures from consultation have been quantified. 11% responded, which Schools Forum Members feel is not a representative sample.

Jo Buckley note: this is an extremely contentious issue with primaries who have a nursery. Plea to delay for clarity. We need to know which elements of this service are statutory and which we can choose not to commission. What are the implications of saying no? It is presented as a singular option.

What would happen if we all voted 'no' today? On the basis of the information presented, my first choice is to request a delay. If that is not possible, on behalf of colleagues, I vote not to agree the recommendations.

Q: when is the closing date of the consultation? Martyn advised the deadline is 28 February 2023, the publishing date was only a week ago, which gives very little time to turn this around.

Q: in part 3 recommendations, if there are less places, why are we asking for more staff to look after less children?

Q: what are the implications of not agreeing with the recommendations and are there any other alternatives?

Martyn advised this is not clear in the guidance. Schools Forum Members asked Martyn to unpick what would be the implications if Schools Forum do not vote and bring back with an addendum to the Exception Schools Forum Meeting on 23 February 2023 – this will allow Members to vote to the 28 February 23 deadline.

13. Work Programme

Connie to bring back the Delegation of School improvement functions addendum to the next full meeting on 27 April 2023.

Martyn to bring back the Early Years Funding addendum to the Exception Meeting on 23 February 2023.

Suggestion: where Schools Forum Members are relying on guidance to inform their decision-making, maybe a link to this in the report could be included.

14. Any other business

Some Schools Forum Members are really concerned that they will be in deficit by next year and what are the implications for schools? Is this the same picture for other Local Authorities and are the DfE likely to put any punishments in place for schools in deficit? Jane Davy advised that schools will not be allowed to carry forward a deficit. This would also create pressures for the Council if schools academized, as the Council would have to cover the deficit.

Paul Tinsley urged all Primary and Secondary colleagues to raise via CYPH and CASH. Paul asked if Jane Davy could provide a paper for Schools Forum around the risk to quality education, risks of schools failing; we may not be able to solve anything, but Members could take the issues to a wider political forum with regional and national colleagues.

Jane advised that there is no support from government, except efficiency tools, SRMAs and their advice is to tap into that. Finance are cut to the bone and don't have the resources to support all schools. Jane confirmed that schools would not be allowed to hold a deficit budget.

Paul and Jane to pull together a report for clarification for Schools Forum.

15. Future dates

23 February 2023 – exception meeting – 4.30pm

27 April 2023

22 June 2023

All meetings will start at 4pm, apart from the exception meeting which will start at 4.30pm. All meetings are currently held via Teams

Report to Schools Forum

Meeting Date	23 February 2023
Subject	School Admissions and Schools Capital Team
Report Author	Richard Morse

Report purpose

A report on addition demands and changes for the School Organisation and Access Service.

Need for consideration

Additional capacity to meet additional needs and demands.

Need for decision

The Forum is asked to consider the need for additional resource and funding for that additional resource.

Contact Officers

Richard Morse – School Organisation and Access Manager
Richard.Morse@Calderdale.Gov.UK
07540 671288

Report to Schools Forum

1. Background and/or details

- 1.1 From September 2021 to date, there have been a number of emerging developments that impact upon the work of the School Organisation and Access Team.
- 1.2 There are four significant areas of change:
 - The School Rebuilding Programme (SRP);
 - asset management and schools capital;
 - Private Finance Initiative (PFI) contract expiry planning: and
 - The School Admissions Code 2021 (SAC) and Fair Access.
- 1.3 There are substantial associated additional demands within each of these areas in terms of resource required to be allocated to them and it is necessary for these issues to be considered by the Forum.

School Rebuilding Programme

- 1.4 In March 2022 officers submitted 15 School Rebuilding Programme bids for Local Authority maintained schools which they considered would meet the criteria and be in such condition to have a realistic chance of being considered for the programme.
- 1.5 In December 2022 a most welcome announcement was received. Of the bids submitted by Officers, a number had been successful. The following schools were selected for the SRP: Central Street Infant and Nursery School, Cross Lane Primary and Nursery School, Riverside Junior School, Shade Primary School, Stubbings Infant School, Walsden St Peter's CE (VC) Primary School, Woodhouse Primary School, The Calder Learning Trust and Todmorden High School.
- 1.6 Other successful bids came from the Anglican Diocese for Todmorden CofE J, I & N School and Together Learning Trust for The Brooksbank School.
- 1.7 These schools will now follow Castle Hill Primary School which was selected in the second SRP round in July 2021 and for which significant progress has been made.
- 1.8 There were six Local Authority bids that did not make the programme and an additional three bids from Multi Academy Trusts.
- 1.9 This is a huge and welcome investment into the Calderdale School Estate and will see new or refurbished, fit for purpose accommodation provided for school staff and thousands of Calderdale pupils. It is difficult to quantify what this might be worth to the Authority but based on recent commissions it is estimated that this work could easily see in excess of £100 million of capital investment for the Borough's schools.

- 1.10 It will also allow the Authority to focus its limited maintenance funding on those schools that have condition issues but did not make the programme, although the scale of remaining condition issues that need to be addressed should not be underestimated.

Asset Management and Schools Capital

- 1.11 Following the commission of Asset Management reports for the maintained school estate, works to the value of £23.3m had been identified with a recommendation that these are carried out within 1-5 years – construction inflation plus associated costs for surveys and asbestos removal prior to any works could see this figure total in excess of £34m. The figures do not include longer term priorities identified within the reports.
- 1.12 The value of the information contained within these reports has been realised in a number of areas. It has identified some of the most pressing issues allowing a prioritisation of works to start addressing those issues and it has also provided an independent evidence base with which to support our SRP bids.
- 1.13 Some of the work identified in these reports will now be addressed through SRP and so the original figure for work required works will reduce by a considerable sum however any urgent H&S related works that cannot wait for a rebuild or refurbishment will still have to be commissioned to ensure the continued safety of staff and pupils.
- 1.14 It is also evident that in a significant number of schools, issues that could relatively easily and economically be addressed are not always being adequately addresses, resulting in consequential damage costing more to rectify than if they had effectively addressed when identified and potentially leading to Health and Safety related concerns.
- 1.15 There could be a variety of reasons for this – lack of expertise in building and asset management, budgetary constraints, a lack of understanding around roles and responsibilities etc. In the event of a serious Health and Safety incident, none of these reasons would justify an absence of action where issues have been identified.
- 1.16 The responsibility for maintaining community school land and buildings is shared between the Local Authority and Schools themselves. The main funding streams available are School revenue budgets, Devolved Formula Capital (DFC) and School Condition Allocations (SCA).
- 1.17 Schools have a responsibility to manage their buildings on a day-to-day basis, general maintenance, lifecycle replacement, clearing gutters, painting woodwork, patching leaky roofs etc., however, there comes a point where it is beyond an individual schools means to address works of a major nature and the Local Authority will use their funding when this point is reached.
- 1.18 In normal circumstances a school will be asked to contribute 10% towards any maintenance scheme funded by the Local Authority.

1.19 School asset management and the safety staff and pupils is a shared responsibility.

Private Finance Initiative

1.20 A PFI agreement was entered into on 2 July 2003 which covered the building of four Secondary Schools and one Primary School in Calderdale. These opened at various points during 2005.

1.21 Most of the individuals involved in the original phases of the project both have since retired or moved onto other things. This applies to the Provider, its sub-contractors, the Local Authority and schools. There is therefore limited corporate knowledge remaining of each party's rights and obligations.

1.22 Despite being the largest single monthly payment to any of the Council's suppliers, the Local Authority took a relatively passive role in the on-going management of the contract from 2005. Also, more could have been done to inform school personnel about the implications for contract management and this has left present incumbents in a poor position to argue their case on any issues that occur.

1.23 Whilst most local authorities employ an officer with a dedicated role for management of PFI, Calderdale does not. This now needs to be reconsidered.

1.24 It is 7 years to the expiry of the PFI contract. This is a critical time for the Authority and for those schools occupying PFI buildings to be planning for life after PFI.

1.25 This is a huge undertaking. Guidance is produced by the Infrastructure and Projects Authority (IPA) for which a link is provided later in this document. Appendices 1 and 2 are extracts from that document. Appendix 1 shows the suggest approach to expiry and Appendix 2 a suggested timeline.

Fair Access

1.26 In September 2021 the DFE issued a revision to the School Admissions Code with associated guidance on Fair Access Protocols.

1.27 The code is backed within primary statute and gives guidance on the legal and regulatory framework around school admissions. It also provides guidance on policy. '*Should and Should not*s' to be complied with unless there are very sound reasons for not doing so and *Must and Must not*s' are mandatory. The code applies to all maintained schools regardless of category.

- 1.28 This new code was issued in response to a national issue where too many vulnerable pupils were waiting for far too long to access education provision. To that extent most changes related to In-Year processes and arrangements.
- 1.29 The introduction of the new school admissions code coincided with a period of unrest and discontent with in-year processes in Calderdale Secondary Schools. For some the existing arrangements were not working as they would wish.
- 1.30 It was therefore necessary to review ways of working taking into account the requirements of the new admissions code, the need to place vulnerable children within schools as a priority; also, to satisfy schools around the fairness of approach and policy around such school admissions.
- 1.31 To meet the requirement of the revised code a much faster turnaround for applications is required. Subsequently additional software has been employed which gives every school a 'School's Portal' so that they can see when an application has been submitted in real time.
- 1.32 In practice many schools do not respond within the required timeframe, and it is necessary for officers to contact schools to find out why. There are a variety of reasons, some due to lack of experience using the portal, some due to wanting additional information (which may or may not be permitted under the code) and in some instances a reluctance to admit children with perceived challenging behaviour.
- 1.33 It is those very pupils with challenges or additional issues that require a more focussed approach. There is a need to admit all children to school as quickly as possible – more so for those disadvantaged. It is evident that there is a need for a dedicated individual to 'champion' the needs of disadvantaged pupils to ensure they are not prevented from obtaining a place within our schools.
- 1.34 The officer required would ideally be someone who can identify children that meet the Fair Access Criteria outlined within the School Admission Code and Calderdale's Fair Access protocol and ensure that they are referred quickly to the Fair Access Panel meetings so that a place can be awarded as soon as possible.
- 1.35 Occasionally there may be a need to challenge a school that refuses to admit a pupil without acceptable grounds or do not adhere to the School Admission Code and relevant legislation. Any school that does not abide by the decision of the Fair Access Panel. In the first instance that might mean an escalation to the CEO of a MAT followed by a formal representation to the Secretary of State or Schools Commissioner.

2. Main issues for Schools Forum

2.1 There is no surplus capacity within the current service to pick up the additional demands now faced in these essential areas. It is therefore necessary to ask the Forum to consider the need for additional resource in these areas and to consider funding all or part of that from Central School Services Block.

2.2 Current funding is provided for reference:
2022/23 Cost of Admissions Service: £275,000

This covers staffing and running costs (software licences etc) for 6 staff covering the service areas of: School Admissions (and School Admission Appeals), School Organisation and Planning, Schools Capital and PFI.

2.3 2022/23 Contribution towards Capital advice and Project Delivery: £121,000
This is a partial contribution towards the cost of staffing the schools project delivery team which consists of 4 staff.

2.4 A budget is also provided to support the School's Forum: £15,500.

2.5 It is suggested that 3 additional staff with expertise in respective fields are required to enable the delivery of services in the areas identified in this report. Roles and associated costs are set out within recommendations.

3. Recommendations

To meet the additional demands in the areas identified it is recommended that 3 new roles are created:

- 1) Fair Access Officer
- 2) Asset Management / PFI Officer
- 3) Assistant Project Manager (SRP)

3.1 Fair Access Officer

Working with vulnerable families, schools, agencies and other service providers to ensure that pupils are not denied access to appropriate educational provision and to bring challenge whenever instances of unfair decision making, or practice occurs.

Support the work of the School Organisation and Access Manager and Senior School Organisation and Access Officer around school organisation and planning issues ensuring sufficiency of provision in Special Needs and Alternative Provision sectors.

3.2 Asset Management / PFI Officer

Support the work of the School Organisation and Access Manager in the planning and delivery of PFI expiry process.

Work with Heads/Business managers around the efficient and safe management of school buildings. Act as an interface for Health and Safety, Building Control, Finance and the School's Capital project delivery teams. Establish school asset network groups to share knowledge and good practice.

3.3 Assistant Project Officer (SRP)

Support the work of the School Organisation and Access Manager and Capital Programme Manager (Major Capital Projects) in the planning and delivery of Local Authority responsibilities relating to the School Rebuilding Programme.

To work as an interface between the DFE, Schools and Local Authority services to facilitate the delivery of capital projects identified through the Schools Rebuilding Programme.

- 3.4 The Fair Access role has been evaluated at £48,500 rising to £52,000 with on costs and including a sum for estimated mileage. The other two roles need to be fully evaluated but are to be expected (based upon comparable roles with similar responsibilities) slightly higher at £49,500 to £53,300.

4. Reasons for recommendations

- 4.1 It is recommended that the Forum support the need for these roles. These are viewed as essential to the effective delivery of various aspects of the service.
- 4.2 **Fair Access** – the current team assess up to 5 preferences for school places from every child applying for a school place in the normal year of entry for school (Primary/Infant 5 years, Junior 8 years and secondary 11 years). So up to 14,000 preferences each year to be checked for sibling links, distances to school, validation of addresses and appropriate challenges where needed. Coordination with own admission authorities and neighbouring authorities to ensure all children are offered a school place on national offer day.
- 4.3 The team provide day to day advice on the processes involved to both parents and schools, play a role in the setting of admission arrangements for community schools, the challenge of any unlawful arrangements for own admission school and also prepare statements of appeal and defend schools at independent appeal hearings.

- 4.4 In year admissions are also coordinate in Calderdale. In common with all other Authorities, we see a number of pupils with additional challenges that require school places either through a breakdown in the relationship with the current school (sometimes exclusions), a house move, reintegration from AP type provision, asylum seekers etc.
- 4.5 These are the most vulnerable of our pupils and yet more often than not take longer to gain access to education than children without additional challenges. To effectively champion these pupils (and ensure equity in the system for our schools in terms of 'sharing the load') we need to consider a dedicated officer to this task. There are simply too many conflicting demands on exiting staff to ensure that these vulnerable families are given the appropriate attention and support that they require.
- 4.6 **Assistant Project Manager (School Rebuilding Programme)** - Without the appropriate support and representation from the Authority with regard to the School Rebuilding Programme, there is a risk of delay, provision that does not meet current or future needs and even possibly a risks projects not proceeding. We know that many of the schools selected are on extremely difficult and complex sites and it is important that the Local Authority works closely with the DFE to overcome these challenges. Sites are constrained, subject to flooding, and subject to leases in some instances. It is imperative that individuals with the appropriate knowledge and skills are appointed to this task to ensure the opportunities presented by this programme are fully realised.
- 4.7 **Asset Management and Private Finance Initiative Officer** – when the PFI contract commenced initial borrowing of £51,550,000 financed the construction of 5 schools. That equates to a construction cost at today's prices of £87,635,000. At the end of this contract those assets are handed over to the LA (and where occupied by Academies, subsequently transferred to them). It is in the interest of schools and the Authority that those assets are handed over in a fully maintained condition and that all appropriate lifecycle works have been carried out. In other words that we make sure all contractual obligations are fully satisfied so that costs of replacement or rectification do not fall upon schools.
- 4.8 As well as the actual assets themselves there is an issue around staffing (catering and facilities management) and the consequential TUPE arrangements that will need to be put into place to meet obligations here.
- 4.9 For Local Authority Schools it is increasing important to avoid unnecessary expenditure on issues with buildings that can be avoided through effective estate management. A few pounds spent repairing leaking gutters or roofs now can save tens of thousands of pounds or more if the issue is ignored. It is a lot to ask of headteachers and their staff to be experts in this field and clear that without more guidance and support there is a risk not only on budgets in rectifying avoidable building issues but also potentially much more serious health and safety issues.

- 4.10 Experience has shown that schools can be vulnerable to unscrupulous contractors – to use the vernacular, ‘cowboys’, and those that create unnecessary work or overcharge for their services. An officer available to give advice and support and highlight areas that require attention with a view to avoiding future problems could make savings for schools that far exceed the cost of their services.

5. Impact of funding, targets and milestones

- 5.1 The anticipated total additional cost of these roles would be between £147,500 and £158,000 per annum.
- 5.2 The only potential source of any funding currently available is the Landlord’s budget. This is a relatively small budget, used – as the description would suggest, for landlord type issues such as tree removal (where affecting neighbouring properties or causing damage), adaptation to buildings for children (wheelchair ramps, hygiene suites etc) and other general expenditure such as land registry searches (for boundary disputes etc). This currently budget is around £87,000 per year.
- 5.3 This would clearly not cover the entire cost of the additional posts, nor would it be advisable to use this budget in its entirety and pass the cost of the above-mentioned works onto schools in all instances.

6. Resource implications

- 6.1 The Forum is asked to agree funding for these posts and advise where that funding might be drawn from.
- 6.2 That might be all from the central services block, or potentially specific to the individual roles, some from the High Needs Block, some from Central Services and some from the Landlords budget.

Appendices

Appendix 1 – PFI Core Expiry Objectives

Appendix 2 – PFI Exemplar Expiry Timeline

Background Documents

School Admissions Code:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1001050/School_admissions_code_2021.pdf

Fair Access Protocols:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1012993/FAP_Guidance.pdf

Good Estate Management For Schools – Tools and Check Lists:

<https://www.gov.uk/guidance/good-estate-management-for-schools/tools-and-checklists>

Preparing for PFI contract expiry - Practical guidance for contracting authorities:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057589/IPA_Guidance_-_Preparing_for_PFI_Contract_Expiry.pdf

The documents are available for inspection online or at:

Admissions and School Planning Team
Children and Young People's Services
Princess Buildings
Halifax
HX1 1TS

Core expiry objectives

Ensure that the PFI Co meets its contractual obligations for contract exit and transition, so that full value for money is obtained for the residual period of the contract.

Ensure that the expiry and transition process fully supports the authority's plans for assets and services following PFI contract expiry, so that the required services continue to be delivered.

Timing

Expiry and transition planning should commence at least seven years before the expiry date.

Senior leadership and governance

Strategic leadership with a vision for future services will drive success.

A senior responsible officer (SRO) should be appointed.

Governance, clear decision making routes, senior relationship management and escalation paths must all be in place.

Key considerations in PFI expiry

Value for money

Do I understand the contract, service specifications, assets and costs of the PFI?

Am I managing the contract effectively and holding the PFI Co to account?

What are the key risks around expiry?

How do I assess what should be handed back and in what condition?

Are the contractual arrangements for expiry and transition adequate and practical?

Life after the PFI contract

What is the vision for future services provision and how does that differ from those provided under the PFI contract?

How do I manage the process of change?

What information do I need and how do I secure the transfer of that knowledge?

What assets, people and systems will I need?

How do I build the right relationships to support this process?

Do I have the required decision making and approvals processes?

Generic expiry timeline

7+ years - Building a good base for expiry:

Know and manage your contract.

Understand your asset base, its condition and forward maintenance plans.

Understand the exit provisions and requirements.

7-5 years Expiry initiation:

Establish and resource your expiry workstream activities.

Engage with the PFI Co to initiate joint expiry planning.

Develop your future services strategy.

Initiate an early asset condition survey.

5-3 years Expiry planning and decision-making:

Develop and implement detailed plans and strategies.

Agree processes and contract interpretations with the PFI Co.

Ensure full integration with future procurement plans.

3-0 years Delivering:

Deliver final asset survey, final remediation and handback.

Review and transfer data, TUPE and systems.

Run future service procurement.

Conduct transition planning and mobilisation.

0+ years Post-transition and close:

Complete all handback certification.

Finalise accounts and close out residual PFI contract issues.

Bed in new services

Report to Schools Forum

Meeting Date	23 February 2023
Subject	Addendum report – De Delegation of School Improvement Functions
Report Author	Connie Beirne

Report purpose

Addendum report requested by Schools Forum Members at the previous meeting on 12 January 2023.

Addendum report to Schools Forum

All schools – Secondary and Primary voted for the existing SE associate model to continue through the summer term 2023. To fund the amount required of £90,238, schools will be asked to contribute £7.77 per pupil. (Maintained schools' budget)

Primary Heads voted for model 1 for the next academic year 23/24.

Secondary heads asked for additional information in order to make their decision for their phase.

The amount of funding available from the LA to support the School Effectiveness team going forward is £105K and includes:

- £45K base budget
- £35K underspend from last of School Improvement Monitoring and Brokerage grant SIMBG 22/23 ending 31/3/23
- £25K traded income provided through commissioned work undertaken in both maintained and academy schools. This includes Headteacher Performance Management, School Reviews, presenting your school well, coaching sessions, including governors and other requested curriculum, subject leaders focused work we are asked to support on. This amount is based upon previous year's income; so, we are secure that this amount is realistic to be achieved and support the team going forward.

The amount per pupil for each model (see full report for breakdown of each model) was:

Model 1 - £11.74 per pupil

Model 2 - £11.55 per pupil

Model 3 - £10.18 per pupil

Questions:

1. Why can't LA find money to cover costs?

The Local authority are unable to increase funding to the service from its base budget. The 2023/24 budget setting process is currently taking place, there is already severe pressure on the current year budget & the allocation made to us by the Government for 2023/24 & future years will mean budget savings will have to be found within the Children & Young Peoples Directorate & by the Council as a whole meaning there will be no capacity to increase budgets (Steve Drake, Finance Manager)

2. Price per pupil, for primary without secondary schools' involvement?

Without secondary school involvement, the cost per pupil would increase to:

Model 1 - £14.33 per pupil

Model 2 - £14.10 per pupil

Model 3 - £12.53 per pupil

3. What happens if we vote against model?

If secondary schools do not agree a proposed model for their phase, with 3 being offered, then the DFE will adjudicate where schools forum does not agree the LA proposal.

If secondary schools do not agree a proposed model for their phase for autumn 23/spring term 24 delivery, then if one of the maintained schools were to experience difficulties; where will the funds come from to provide this SCC support as it has not been allocated for. Will it come from the schools' reserves? As an LA, we would need to be provided with an answer, to confirm that the statutory duty will still be undertaken by other than the proposed School Effectiveness team.

If secondary schools reject the proposal this will mean higher costs for our primary colleagues and a rise in the per pupil amount requested as seen above. For our smaller schools with falling rolls and financial difficulty; this will create additional pressures on the school being able to provide the best educational experiences for their children.

4. Equalities impact statement

The majority of schools causing concern are in levels of high deprivation with higher numbers of children who are disadvantaged as well as those with SEND. Out of the thirty-two schools (Maintained (15) and Academies (17), all are within the most deprived areas of Calderdale, including Ovenden, Illingworth and Mixenden, Warley, Todmorden and Sowerby Bridge. With the pandemic, the gap has widened for our vulnerable pupils.

Key stage 1 disadvantaged pupils achieved lower results in 2022 than their national counterparts and the gaps between disadvantaged and non-disadvantaged pupils is wider in Calderdale than the national gap.

Working on the present associate model, out of 16 Ofsted inspections, no school has been rated requires improvement or inadequate. (September 22- January 23) This is due to the strategies in place, to ensure our amber and red schools make the rapid and sustained improvement needed. There is also a 'team around the school' (TAS) in place for our red schools of most concern. This ensures that the right amount of officer time, support and resources are targeted appropriately and impact can be evidenced easily. It is very effective in moving schools forward to a judgement of good/outstanding.

In terms of Ofsted reports, the area that needs to be focused upon as a priority is Early Years. We are working with our schools' causing concerns, as well as commissioned work in others, to address the priorities identified. If we do not get the

focus right at this early stage of a children's educational journey, then we will forever, be continuing to seek to address their needs going through each education phase, which is unfair on the individual child/young person. Putting resources in at the right place, right time will ensure the child's needs are met, so they can go on to meet their full potential.

Report to Schools Forum

Meeting Date	23 February 2023
Subject	Calderdale CSSB-funded statutory services for schools / Allocation of 2023/24 Central School Services Block (CSSB)
Report Author	Steve Drake, Martyn Sharples, Michael Holgate

Report purpose
<ul style="list-style-type: none"> To provide an update on the Calderdale CSSB-funded statutory services for all schools To seek approval of the members of Schools Forum on the proposed use of the 2023/24 Central Services Block funding

Need for consideration
Schools Forum is asked to note the continuing reduced CSSB funding envelope in 2023/24.

Need for decision
Schools Forum is asked to approve the recommended allocation of the 2023/24 Central School Services Budget (CSSB) as set out in the report.

Contact Officers
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1. Background information and context

- a) In April 2018 the DfE created the central school services block (CSSB) through which LAs are allocated funding for the statutory responsibilities they hold for all schools.
- b) The CSSB brings together:
- funding previously allocated through the retained duties element of the ESG
 - funding for ongoing central functions, such as admissions, previously top-sliced from the schools block and now determined by the National Funding Formula using a pupil-led formula
 - residual funding for historic commitments, such as School Improvement Cluster funding, previously top-sliced from the schools block.
- c) LAs are required to advise their School Forums on the proposed use of CSSB funding and an operational guide has been published setting out restrictions on how the funding can be spent.
- d) The following central services are allocated funding from the CSSB to meet the LA's statutory duties for all schools:

Education Welfare
Exclusions
HR Pensions
LFM Finance
SACRE
School Organisation and Planning
Strategic Planning for Education

2. Main issues for Schools Forum

- a) The CSSB funding for 2023/24 will be **£1.92m**.

The historical element has been reduced by 20% compared to 2022/23.

The per-pupil rate for ongoing responsibilities has been confirmed as £37.28 for 2023/24. This is a 1.5% increase on the 2022/23 per-pupil rate of funding. The funding is based on pupil data as at Oct 2022 (ie 32,650).

- b) The LA's business planning process identifies the statutory, discretionary and traded elements of each service together with their full-cost so funding can be properly appropriated. To ensure the LA's statutory duties are not subsidised from other funding sources, the costs of support services are attributed in the business planning process. We are therefore confident the services are achieving full-cost recovery.

- c) The services, and their estimated costs of meeting statutory duties for all schools, in 2023/24, are listed in Appendix 1.
- d) Appendix 3 outlines the proposed use of the Central School Services Block (CSSB) for 2023/24 and the total funding required to fund the services to schools is **£1.26m**.
- e) The first call on the funding has to be for School Licences to cover the cost for copying of materials, performing, recording and broadcasting of music and films in schools. It is expected this will be £211K in 2023/24. This has increased by 10% (£19K) compared to 2022/23. This is Government mandated.
- f) Funding of £364K has been allocated to School Improvement Cluster Funding in 2023/24. Any historic commitments for which funding will be required in future years may be subject to reduction in line with DfE action to further reduce the historical element of CSSB funding.
- g) School Termination Costs is to cover redundancy costs in schools. There are tight criteria for funding support and a requirement to have a local authority led budget recovery plan if in deficit. Funding of £40K has been allocated in 2023/24, the same figure as 2022/23.
- h) The CSSB funding available in 2023/24 will be **£1.92m** therefore there will be a funding surplus of £113K that will be available to be used on a one-off basis to be spent in 2023/24.

3. Recommendations

- a) Schools Forum is asked to approve the recommended allocation of the 2023/24 Central Schools Services Block (CSSB) as set out in the report.
- b) Schools Forum are asked to agree the use of the £38K one-off surplus for Education Welfare Services new duties.
- c) Through its business planning processes the LA will continue to scrutinise and actively challenge its operating models to ensure effective and efficient delivery of its services to reflect statutory requirements.

4. Reasons for recommendations

Contained in this report

5. Impact of funding, targets and milestones

Contained in this report

6. Resource implications

Contained in this report

7. Appendices

Appendix 1: Summary of Calderdale Council's CSSB-funded statutory services for all schools

Appendix 2: Extract from Guidance

Appendix 3: Proposed Allocation of Central School Services Block 2022/23

Summary of Calderdale Council's CSSB-funded statutory services for all schools

1. Education Welfare Service (EWS)

2023/24 cost of meeting EWS duties (current model): £ 240,313

2023/24 cost of meeting EWS duties (proposed model): £ 278,558

2023/24 cost of meeting Exclusions duties: £ 60,084

Statutory duties for all schools

The Education Welfare Service undertakes the Council's statutory duty under the Education Act 1996, the School Standards and Framework Act 1998, and Education (Pupil Registration) Regulations 2006 in relation to school attendance and children missing from education.

- Enforce school attendance under Sections 444, 444A and 444ZA of the Education Act 1996 (Sch 2, 16)
- Instigate proceedings under Section 437 and 444 of the Education Act 1996
- Enforcement proceedings under Section 103 Education and Inspections Act 2006
- Fulfil the LA's statutory duties to child employment under the Children and Young Persons Act 1933 (as amended), the Children (Protection at Work) Regulations 2000, Calderdale Metropolitan Borough Council Employment Of Children Byelaws and Children in Entertainment and Licensing of Chaperones under relevant legislation (Sch 2, 18)
- To ensure schools/academies are compliant with the Education (Pupil Registration - England) Regulations 2006 and Section 434 and 551 of the Education Act 1996
- Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Sch 2, 20)

In addition to the above, the EWS also has responsibility for Children Missing Education (CME), Elective Home Education (EHE) and Child Employment and Entertainment (CEE) and monitors all children who are educated at home, licences child performances outside of school, and issues work permits for school-age children in part-time employment. This is done for all schools.

The EWS provides support, guidance and briefings on a range of education-related matters and changes to legislation/guidance to all schools to ensure consistency and accountability across the LA.

The service offers advice to parents on their rights and responsibilities and acts as an intermediary to resolve issues to maintain regular attendance or a return to school as any absence, particularly prolonged, is not in a child's best interests. This work encompasses a welfare element, often involves signposting parents and schools to additional support.

Outcomes

- 2021/22 - 1679 Penalty notices issued compared with 740 in 2020/21 an increase of 126% (it should be noted that the 2021/22 figures do include the school closure period. Since September 2022 we have issued a further 749 Penalty Notices with a significant number still

being processed. This is an increase of 165% on the corresponding figure in the previous academic year at the same stage (282)

- 2021/22 - 378 cases presented for prosecution, an increase of 28% on the 295 cases presented in 2020/21. Since September 2022 we have already undertaken 249 prosecutions (including 15 for the more serious Section 441(A) which carries a potential custodial sentence). There are also 123 pending cases prepared for February and March proceedings
- 418 Pre-Court Meetings and PACE interviews convened compared with 284 meetings for the 2020/21 academic year – an increase of 55%
- In 2021/22 – there were 206 CME referrals an increase of 10% on the 186 CME cases opened in 2020/21. In many cases the school were able to remove the child from roll, without the family being located, safe in the knowledge the case remained open to the service. In the current academic year, we have opened 68 new CME cases an increase of 17% on the number of new cases opened and the equivalent stage in 2020/21.

Proposed EWS delivery model

The DfE introduced revised guidance '*Working together to improve school attendance*' from September 2022 which is planned to become statutory from September 2023. There is an expectation LAs will meet these requirements as far as possible for academic year 2022-2023, with the trajectory that the School Attendance Support Team will be offer all the core functions outlined to **all schools** no later than September 2023. The guidance places significant additional duties on the EW which cannot be delivered under the existing structure.

DfE have identified, to deliver the *Working Together to Improve School Attendance* agenda, requires the equivalent of 1 FTE EWO/Attendance Support Officer per 5000 school age pupils. In Calderdale, this equates to approximately 7 FTE Officers (34072 pupils). This is distinct from the capacity required to deliver on the statutory duties (CME/EHE/CEE/Legal interventions).

We propose to employ four additional staff (three Attendance Support Officers and one 0.5 Business Support Officer) to deliver these duties.

The most significant impact of the guidance on the LA resource is the requirement to convene 'Targeting Support Meetings' with **all** schools on a minimum termly basis.

There is an additional requirement to provide attendance support to all children with a social worker. There is also a requirement to provide advice and guidance to schools and convene cluster, locality or whole school training and development opportunities, deliver briefings and forums and embed attendance practices across the LA. This can be delivered with increased team capacity.

The other substantial change is the requirement to provide early help for all Severely Absent pupils (<50%) and to consider this for all Persistently absent pupils (<90%). Considering the 2021/22 attendance data, there were 6388 PA pupils and 584 Severely Absent pupils, it is clearly evident early help referrals for all such pupils is not achievable and will therefore require a large deal of creativity, partnership working and resource management to deliver the guidance.

The additional cost of the EWS is shown above.

2. HR Pensions

2023/24 cost of centrally controlled teachers' pensions £ 214,862

Additional pension funding that LAs have claimed for centrally employed teachers has now been rolled into the ongoing responsibilities element of the CSSB. This funding has been added as a per-pupil amount to the LA's per-pupil rate.

3. LFM Service

2023/24 cost of meeting LFM duties: £ 86,625

Statutory duties

The Local Authority has the following statutory duties under the Schools and Early Years Finance Regulations 2018, School Standards and Framework Act 1988, Education Act 2002:

Responsibilities for all schools

- Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Sch 2, 22)
- Authorisation and monitoring of expenditure not met from schools' budget shares (Sch 2, 15c)
- Calculation and audit of individual school budget shares to all schools
- Payment of High Needs top up to all schools.

Customer need

- Sound financial advice and planning
- Financial skills and school/academy experience
- Choice
- Value for Money
- High quality, customer focused service meeting individual customer needs
- Consistency and stability
- Personable/relationships
- Someone to listen to enquiries, feedback, complaints and act promptly.

Changes to delivery:

For all schools the Service calculates ISB and pays high needs top up. For maintained schools the Service currently pays all other ESFA grants. There is no alternative to the LA carrying out these duties. However, during the Covid-19 pandemic, the service was delivered remotely and no face-to-face support or school visits were undertaken. It is envisaged this will continue in the future for the majority, apart from a small number, of cases. The saving in reduced travel costs is being used to part-fund a trainee Finance Officer as a resilience measure as the service has several staff nearing retirement age.

Outcomes

- The LA has discharged its statutory LMS duties and schools have been paid
- All academies receive a statement from the ESFA in March based on the information provided from the LA detailing their ISBS for the year starting 1 Sept

- Financial guidelines are prepared to ensure schools meet their statutory duty when spending public money
- Reports prepared to assist Schools Forum to carry out their statutory duties in accordance with school regulations
- School expenditure monitored against budget to ensure schools do not fall into deficit and advice and early intervention is provided to minimise cost to the school and LA
- Timely payment of High Needs top ups to all schools ensures schools have funding for resources to help pupils with additional educational needs
- Liaising with external audit on schools' behalf to minimise external interventions.

4. SACRE

2023/24 cost of meeting SACRE duties: £ 21,961

Statutory duty for all schools:

Standing Advisory Council for Religious Education (SACRE) (Sch 2, 17)

SACRE is commissioned to an external provider with the LA providing clerking and administrative support.

5. School Organisation and Access

2023/24 cost of meeting Admissions duties:	£292,228
2023/24 cost of Capital advice and projects:	£116,000
2023/24 cost of Schools Forum Support:	£16,090

The Service:

- Manages admission arrangements for community and VC schools (Sch 2, 9)
- Manages coordinated admissions process and ensures all children in Calderdale have a school place (Sch 2, 9)
- Manages in-year process where in operation
- Represents schools in appeal hearings
- Projects future demand for places and identifies need for additional places to ensure sufficiency of provision
- Manages formal school organisation processes (eg school closures or expansions requiring statutory process)

These are statutory requirements under The School Standards & Framework Act, The Education Act, and other statutory instruments for the co-ordination of admission arrangement.

Schools Capital

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).

The Service plays a key role developing schools capital spending plans: for maintenance funding (as part of an approval process – panel led); basic need (sufficiency of provision) to identify and agree where spend is invested and act as ‘client’ in the commissioning of such additional provision. The Local Plan is now in place which has generated an increased workload to be followed by project delivery.

Sufficiency and Planning

- Obtain birth data, GP registrations and Town Planning data to map to school planning areas to project demand for future school places and work with officers on the Local Plan to ensure educational requirements are represented in proposals.

School Organisation

- Identify and develop school organisational proposals and manage through statutory and decision-making processes and implementation
- Annual SCAP Return advises DFE on pupil capacity against projected need for places and influences funding to create additional places.

Co-ordination of admissions

- Primary, Secondary, Published Admission Numbers and Oversubscription Criteria (for all Community and VC Schools)
- Challenge unfair arrangements or breaches of code through the Schools Adjudicator
- Collate admission arrangements and publish prospectus
- Admissions Forum (no longer statutory): a consultative group providing admissions advice and guidance to LA officers
- Advice and guidance to schools and parents on admission processes
- Attend school open evenings
- Manage application process for all places including the co-ordination of cross border requests. Manage the application process for reallocation requests for all schools
- Manage coordinated round of reallocations to published criteria
- DFE statistical returns and Annual Report to the Office of the Schools Adjudicator.

In Year Applications: allocation of places (part statutory)

- Receive, vet and prepare applications for BACS
- Manage in-year transfer requests through attending and/or chairing BACS
- Implement In-Year Fair Access protocols for hard to place pupils (Statutory)
- Directed Pupils (Statutory).

Appeals

- Prepare and present defence for schools at Independent Appeal / Arbitration.

Schools Forum

- Support and coordinate the work of the Schools Forum (Sch 2, 12).

PFI Contracts

- Co-ordinate, chair and minute meetings of PFI Operational Group
- Represent the LA’s interest as ‘named officer’
- AVR input and approvals
- Dispute resolution and relationship management
- Manage permissions for proposed works or alterations.

- Coordinate payment mechanisms.

Alternative approach: Although some elements of in-year process exceed the required statutory minimum, they enhance the LA's ability to discharge those duties.

Most work is carried out in a prescribed manner to a set timetable so the scope for changing or developing the service is to a degree constrained by the legal and regulatory framework.

6. Strategic planning

2023/24 cost of meeting Strategic planning duties: £ 146,000

Statutory duties

The LA's Strategic duties in planning for Calderdale's education service are defined under Children Act 2004 Section 18, Education Act 2005 Sections 11B and 11A, Section 15 (amended by Education Act 2011 section 40), Education and Inspections Act 2006 Sections 60A and 69B. They include:

For all schools:

- Director of Children's Services and personal staff for Director (Sch 2, 15a)
- Planning for the education service as a whole (Sch 2, 15b)
- Consultation costs relating to non-staffing issues (Sch 2, 19)
- Plans involving collaboration with LA services or public/voluntary bodies (Sch 2, 15f)
- Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Sch 2, 21).

Extract from Guidance

50. Annex 3 – central services that may be funded with agreement of schools forum

The split of services between responsibilities that local authorities hold for all schools, and those that relate to maintained schools only are shown below.

Responsibilities held by local authorities for all schools are funded from the central school services block, with the agreement of schools forums.

Responsibilities held by local authorities for maintained schools only are funded from maintained schools budgets only, with agreement of the maintained schools members of schools forum.

The department has included references to the relevant schedules in the [School and Early Years Finance \(England\) Regulations 2022](#).

51. Responsibilities held for all schools

Statutory and regulatory duties

- Director of children's services and personal staff for director (Schedule 2, 15a)
- planning for the education service as a whole (Schedule 2, 15b)
- revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Schedule 2, 22)
- authorisation and monitoring of expenditure not met from schools' budget shares (Schedule 2, 15c)
- formulation and review of local authority schools funding formula (Schedule 2, 15d)
- internal audit and other tasks related to the local authority's chief finance officer's responsibilities under Section 151 of LGA 1972 except duties specifically related to maintained schools (Schedule 2, 15e)
- consultation costs relating to non-staffing issues (Schedule 2, 19)
- plans involving collaboration with other local authority services or public or voluntary bodies (Schedule 2, 15f)
- standing Advisory Committees for Religious Education (SACREs) (Schedule 2, 17)
- provision of information to or at the request of the Crown other than relating specifically to maintained schools (Schedule 2, 21).

51.1 Education welfare

- functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Schedule 2, 20)
- school attendance (Schedule 2, 16)
- responsibilities regarding the employment of children (Schedule 2, 18).

51.2 Asset management

- 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 2, 14a)
- general landlord duties for all buildings owned by the local authority, including those leased to academies (Schedule 2, 14b).

51.3 Other ongoing duties

- licences negotiated centrally by the Secretary of State for all publicly funded schools (Schedule 2, 8); this does not require schools forum approval
- admissions (Schedule 2, 9)
- places in independent schools for non-SEN pupils (Schedule 2, 10)
- remission of boarding fees at maintained schools and academies (Schedule 2, 11)
- servicing of schools forums (Schedule 2, 12)
- back-pay for equal pay claims (Schedule 2, 13)
- 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 (Schedule 2, 23).

51.4 Historic commitments

- capital expenditure funded from revenue (Schedule 2, 1)
- prudential borrowing costs (Schedule 2, 2(a))
- termination of employment costs (Schedule 2, 2(b))
- contribution to combined budgets (Schedule 2, 2(c)).

52. Responsibilities held for maintained schools only

52.1 School improvement

- expenditure related to core school improvement activities of local authorities with respect to maintained schools (Schedule 2, 54).

52.2 Statutory and regulatory duties

- functions of local authority related to best value and provision of advice to governing bodies in procuring goods and services (Schedule 2, 59)
- budgeting and accounting functions relating to maintained schools (Schedule 2, 75)
- authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Schedule 2, 60) Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Schedule 2, 61)
- internal audit and other tasks related to the local authority's chief finance officer's responsibilities under Section 151 of LGA 1972 for maintained schools (Schedule 2, 62)
- functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Schedule 2, 63)
- 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 (Schedule 2, 64)
- 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 (Schedule 2, 65)
- retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Schedule 2, 78)
- HR duties, including advice to schools on the management of staff, pay alterations, conditions of service and composition or organisation of staff (Schedule 2, 67), determination of conditions of service for non-teaching staff (Schedule 2, 67); appointment or dismissal of employee functions (Schedule 2, 68)
- consultation costs relating to staffing (Schedule 2, 69)
- compliance with duties under Health and Safety at Work Act (Schedule 2, 70)

- provision of information to or at the request of the Crown relating to schools (Schedule 2, 71)
- school companies (Schedule 2, 72)
- functions under the Equality Act 2010 (Schedule 2, 73)
- establish and maintaining computer systems, including data storage (Schedule 2, 74)
- appointment of governors and payment of governor expenses (Schedule 2, 75).

52.3 Education welfare

- inspection of attendance registers (Schedule 2, 81).

52.4 Asset management

- general landlord duties for all maintained schools (Schedule 2, 79a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:
 - appropriate facilities for pupils and staff (including medical and accommodation)
 - the ability to sustain appropriate loads
 - reasonable weather resistance
 - safe escape routes
 - appropriate acoustic levels
 - lighting, heating, and ventilation which meets the required standards
 - adequate water supplies and drainage
 - playing fields of the appropriate standards
- general health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc. Act 1974)
- management of the risk from asbestos in community school buildings
- (Control of Asbestos Regulations 2012).

52.5 Central support services

- clothing grants (Schedule 2, 55)
- provision of tuition in music, or on other music-related activities (Schedule 2, 56)
- visual, creative, and performing arts (Schedule 2, 57)
- outdoor education centres (but not centres mainly for the provision of organised games, swimming, or athletics) (Schedule 2, 58).

52.6 Premature retirement and redundancy

- dismissal or premature retirement when costs cannot be charged to maintained schools (Schedule 2, 80).

52.7 Monitoring national curriculum assessment

- monitoring of National Curriculum assessments (Schedule 2, 77).

52.8 Therapies

- this is now covered in the high needs section of the regulations and does not require schools forum approval.

52.9 Additional note on central services

Services set out above will also include administrative costs and overheads relating to these services (regulation 1(4)) for:

- expenditure related to functions imposed by or under chapter 4 of part 2 of the 1998 Act (financing of maintained schools), the administration of grants to the local authority

(including preparation of applications) and, where it's the local authority's duty to do so, ensuring payments are made in respect of taxation, national insurance, and superannuation contributions

- expenditure on recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools' budget shares and who are paid for services
- expenditure in relation to the investigation and resolution of complaints expenditure on legal services.

Appendix 3

Proposed Allocation of Central School Services Block 2023/24

Service Area	2023/24 Funding Allocation £000's	
Government Mandated		211
School Licences	211	
Retained Duties		364
School Improvement Cluster Funding	364	
Services to Schools		40
School Termination Costs	40	
Statutory/Regulatory Services to Schools		1,194
Including:		
Education Welfare	240,313	
Permanent Exclusions	60,084	
Centrally Controlled Teachers' Pensions	214,862	
Finance Support/ LFM	86,625	
SACRE	21,961	
Capital Advice & Projects	116,000	
Strategic Planning of School Places/ School Admissions/ School Organisation/	292,228	
Schools Forum Support	16,090	
Strategic Planning	146,000	
CSSB Funding required		1,809
CSSB Funding available		1,922
Surplus		113

Report to Schools Forum

Meeting Date	23 February 2023
Subject	Calderdale central services for maintained schools report
Report Author	Steve Drake, Martyn Sharples, Michael Holgate

Report purpose

To seek approval of Schools Forum maintained schools' representatives for funding for Calderdale central services for maintained schools only for 2023/24

Need for decision

The Local Authority has statutory responsibilities for maintained schools which are funded from maintained schools budgets only, with agreement of the maintained schools members of schools forums.

Contact Officers

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Report to Schools Forum

1. Background information and context

- 1.1 The Local Authority has statutory responsibilities for maintained schools which are funded from maintained schools budgets only, with agreement of the maintained schools members of schools forums.
- 1.2 The DfE has published an [operational guide](#) setting out how the funding can be spent.
- 1.3 The following deliver services to meet Calderdale LA's statutory responsibilities for maintained schools only:
Governor Support
Health and Safety

2. Main issues for Schools Forum

- 2.1 The LA's business planning process identifies the statutory, discretionary and traded elements of each service together with their full-cost so funding can be properly appropriated. To ensure the LA's statutory duties are not subsidised from other funding sources, the costs of support services are attributed in the business planning process. We are therefore confident the services are achieving full-cost recovery.
- 2.2 The services, and their estimated costs of meeting statutory duties for 2023/24, are listed in Appendix 1

3. Recommendations

Option a) Schools Forum maintained schools' representatives are asked to approve the transfer of funding from maintained schools DSG block to the LA for these services as set out in the report

Option b) Schools Forum agree to fund the cost of these statutory responsibilities for maintained schools, as an exception, from the Central Schools Services Block balance.

4. Reasons for recommendations

Contained in report

5. Impact of funding, targets and milestones

Contained in report

6. Resource implications

This report identifies the total cost of the Council's statutory services for maintained schools, for 2023/24, is £ 43,976

7. Appendices

Appendix 1: Summary of Calderdale Council's statutory services for maintained schools

Appendix 2: Extract from Guidance

Summary of Calderdale Council's statutory services for maintained schools

1. Governor Support

2023/24 cost of meeting Governor Support duties: £ 14,598

Statutory duties for Maintained schools:

Under S22 (Sch 2, 59, Sch 2, 79) of the Education Act 2002 to:

- a) provide information and training to Maintained school governors free of charge
- b) appoint parent governor representation to local authority education committees
- c) nominate LA governors to all Maintained school governing bodies
- d) set up temporary governing bodies for new Maintained schools

The LA fulfils the statutory duties, in a) above, by providing access to Basic NGA membership and on-line training, for all Maintained schools. In the 2021/22 academic year this was provided for 53 governing bodies.

The duties, outlined in b) c) and d) above, are fulfilled by the Governor Support Officer.

2. Health and Safety

2023/24 cost of meeting Health and Safety duties: £ 29,378

Statutory duties for Maintained schools: Compliance with duties under Health and Safety at Work Act (1974) (Sch 2, 70)

- Competent advice from the schools' Health and Safety team
- Annual visit for monitoring purposes
- Accident investigations for RIDDOR reportable accidents
- Health and safety policy and appropriate information to manage the school effectively
- Health and Safety training to meet minimum statutory induction and needs
- Monitoring of fire safety as required by the Concordat between Council and WYFRS
- Support for managing and monitoring the schools PAMP
- Access to Radiation Protection Officer and Radiation Protection Adviser (Secondary)

Changes to delivery:

The LA currently match-funds the CSSB funding for the Health and Safety team, to provide additional services to its community schools and considers the risk too great of not doing so. The Health and Safety team have explored different ways of meeting their statutory duties to reduce costs including reducing school visits and physical support and increasing the issuing of guidance through the website and emails. However, feedback from schools has not favoured this approach

Extract from Guidance

50. Annex 3 – central services that may be funded with agreement of schools forum

The split of services between responsibilities that local authorities hold for all schools, and those that relate to maintained schools only are shown below.

Responsibilities held by local authorities for all schools are funded from the central school services block, with the agreement of schools forums.

Responsibilities held by local authorities for maintained schools only are funded from maintained schools budgets only, with agreement of the maintained schools members of schools forum.

The department has included references to the relevant schedules in the [School and Early Years Finance \(England\) Regulations 2022](#).

51. Responsibilities held for all schools

Statutory and regulatory duties

- Director of children's services and personal staff for director (Schedule 2, 15a)
- planning for the education service as a whole (Schedule 2, 15b)
- revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Schedule 2, 22)
- authorisation and monitoring of expenditure not met from schools' budget shares (Schedule 2, 15c)
- formulation and review of local authority schools funding formula (Schedule 2, 15d)
- internal audit and other tasks related to the local authority's chief finance officer's responsibilities under Section 151 of LGA 1972 except duties specifically related to maintained schools (Schedule 2, 15e)
- consultation costs relating to non-staffing issues (Schedule 2, 19)
- plans involving collaboration with other local authority services or public or voluntary bodies (Schedule 2, 15f)
- standing Advisory Committees for Religious Education (SACREs) (Schedule 2, 17)
- provision of information to or at the request of the Crown other than relating specifically to maintained schools (Schedule 2, 21)

51.1 Education welfare

- functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Schedule 2, 20)
- school attendance (Schedule 2, 16)
- responsibilities regarding the employment of children (Schedule 2, 18)

51.2 Asset management

- 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 2, 14a)
- general landlord duties for all buildings owned by the local authority, including those leased to academies (Schedule 2, 14b)

51.3 Other ongoing duties

- licences negotiated centrally by the Secretary of State for all publicly funded schools (Schedule 2, 8); this does not require schools forum approval

- admissions (Schedule 2, 9)
- places in independent schools for non-SEN pupils (Schedule 2, 10)
- remission of boarding fees at maintained schools and academies (Schedule 2, 11)
- servicing of schools forums (Schedule 2, 12)
- back-pay for equal pay claims (Schedule 2, 13)
- 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 (Schedule 2, 23)

51.4 Historic commitments

- capital expenditure funded from revenue (Schedule 2, 1)
- prudential borrowing costs (Schedule 2, 2(a))
- termination of employment costs (Schedule 2, 2(b))
- contribution to combined budgets (Schedule 2, 2(c))

52. Responsibilities held for maintained schools only

52.1 School improvement

- expenditure related to core school improvement activities of local authorities with respect to maintained schools (Schedule 2, 54)

52.2 Statutory and regulatory duties

- functions of local authority related to best value and provision of advice to governing bodies in procuring goods and services (Schedule 2, 59)
- budgeting and accounting functions relating to maintained schools (Schedule 2, 75)
- authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Schedule 2, 60) Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Schedule 2, 61)
- internal audit and other tasks related to the local authority's chief finance officer's responsibilities under Section 151 of LGA 1972 for maintained schools (Schedule 2, 62)
- functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Schedule 2, 63)
- 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 (Schedule 2, 64)
- 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 (Schedule 2, 65)
- retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Schedule 2, 78)
- HR duties, including advice to schools on the management of staff, pay alterations, conditions of service and composition or organisation of staff (Schedule 2, 67), determination of conditions of service for non-teaching staff (Schedule 2, 67); appointment or dismissal of employee functions (Schedule 2, 68)
- consultation costs relating to staffing (Schedule 2, 69)
- compliance with duties under Health and Safety at Work Act (Schedule 2, 70)
- provision of information to or at the request of the Crown relating to schools (Schedule 2, 71)
- school companies (Schedule 2, 72)
- functions under the Equality Act 2010 (Schedule 2, 73)
- establish and maintaining computer systems, including data storage (Schedule 2, 74)
- appointment of governors and payment of governor expenses (Schedule 2, 75)

52.3 Education welfare

- inspection of attendance registers (Schedule 2, 81)

52.4 Asset management

- general landlord duties for all maintained schools (Schedule 2, 79a & b (section 542(2)) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:
- appropriate facilities for pupils and staff (including medical and accommodation)
- the ability to sustain appropriate loads
- reasonable weather resistance
- safe escape routes
- appropriate acoustic levels
- lighting, heating, and ventilation which meets the required standards
- adequate water supplies and drainage
- playing fields of the appropriate standards
- general health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc. Act 1974)
- management of the risk from asbestos in community school buildings
- (Control of Asbestos Regulations 2012)

52.5 Central support services

- clothing grants (Schedule 2, 55)
- provision of tuition in music, or on other music-related activities (Schedule 2, 56)
- visual, creative, and performing arts (Schedule 2, 57)
- outdoor education centres (but not centres mainly for the provision of organised games, swimming, or athletics) (Schedule 2, 58)

52.6 Premature retirement and redundancy

- dismissal or premature retirement when costs cannot be charged to maintained schools (Schedule 2, 80)

52.7 Monitoring national curriculum assessment

- monitoring of National Curriculum assessments (Schedule 2, 77)

52.8 Therapies

- this is now covered in the high needs section of the regulations and does not require schools forum approval

52.9 Additional note on central services

Services set out above will also include administrative costs and overheads relating to these services (regulation 1(4)) for:

- expenditure related to functions imposed by or under chapter 4 of part 2 of the 1998 Act (financing of maintained schools), the administration of grants to the local authority (including preparation of applications) and, where it's the local authority's duty to do so, ensuring payments are made in respect of taxation, national insurance, and superannuation contributions
- expenditure on recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools' budget shares and who are paid for services
- expenditure in relation to the investigation and resolution of complaints expenditure on legal services

Report to Schools Forum

Meeting Date	12 January 2023 & 23 February 2023
Subject	Early Years Funding - including addendum report in appendices
Report Author	Martyn Sharples

Report purpose

- To inform Schools Forum on changes to the Early Years National Funding Formula for 3 & 4 year-olds and the separate formula for the entitlement for eligible 2 year-olds.
- To inform Schools Forum on planned changes to Calderdale's Early Years Single Funding Formulae for the early education and childcare entitlement for 2, 3 & 4 year-olds.
- To inform Schools Forum of planned changes to the hourly funding rates paid to schools and early years providers for the early education and childcare entitlement for 2, 3 & 4 year-olds.
- To seek Schools Forum approval of the funding centrally retained from the Early Years Block of DSG in 2023/24.

Need for consideration

Schools Forum to give a view on the proposed changes to the Early Years Single Funding Formulae and to the hourly funding rates paid to schools and early years providers.

Need for decision

Schools Forum to approve the amount and purpose of centrally retained funds.

Contact Officers

Martyn Sharples, Senior Finance Officer – Adult & Children's Services Finance Team
Tel. 01422 392719 or email: martyn.sharples@calderdale.gov.uk

Report to Schools Forum

1) Background information and context

- i) The Government introduced the Early Years National Funding Formula (EYNFF) in April 2017 to set the hourly rates that each local authority is paid to deliver the universal and extended entitlements for 3 & 4 year-olds. There is a separate formula that sets out the funding rates for 2 year-olds. Neither of the formulae has been updated since their introduction and since 2020 the hourly rates paid to most local authorities have increased by adding the same amount to the rate paid to each authority. The funding for the entitlements for 2,3 & 4 year olds, the Early Years Pupil Premium (EYPP) and the lump-sum payment for the Disabled Access Fund (DAF) are contained within the Early Years Block of the Dedicated Schools Grant (DSG).
- ii) Alongside the EYNFF, the Government introduced Operational Guidance setting out the rules relating to how local authorities fund providers. Updated Operational Guidance for 2023/24 was published in December 2022. The relevant key points being that local authorities;
 - Should set up a single funding rate (including the same base rate and supplements) for both entitlements for three and four year olds (that is, both the universal 15 hours, and the additional 15 hours for working parents)
 - Must plan to pass on at least 95% of their three and four year old funding directly to providers to deliver the three and four year old entitlements
 - Must now use a universal base rate for all types of provider in their local three and four year old formula, including for Maintained Nursery Schools
 - Must use a deprivation supplement in their local three and four year old formula, and any other supplements used must fall within one of the allowable categories
 - Must not channel more than 12% of their funding for three and four year olds through specified funding supplements from 2023/24
 - Must pass on Early Years Pupil Premium (EYPP) in full to providers for eligible three and four year olds
 - Must pass on Disability Access Fund (DAF) funding in full to providers for eligible three and four year olds.

DfE monitor compliance with the above through Section 251 Budget returns.

- iii) In Calderdale, the funded entitlements for 2, 3 & 4 year-olds are delivered by Maintained Schools with nursery classes or Foundation units, nursery classes in Academies and Independent Schools, Children's Centres, Day Nurseries and Preschools, Childcare on Domestic Premises, Out-of-School Clubs and Childminders. Between the 1st September 2022 and 31st December 2022, there were 205 providers delivering funded early education and childcare to eligible 2, 3 & 4 year-olds.

The following table shows the proportion of funded hours for each entitlement taken up in each type of provision during the Summer 2022 funding period.

	2 year old entitlement	Universal 3 & 4 year old entitlement	Extended 3 & 4 year old entitlement
	% of funded hours for Summer 2022		
Children's Centre	25.5	6.5	4.6
Childminder	5.7	3.9	7.5
Day Nursery	41	34.6	49
Maintained Nursery Class	4.8	23.3	15.1
Nursery Unit of Academy	3.8	13.9	10.1
Nursery Unit of Independent School	0.1	3.4	0.9
Out of School Club	0.1	0.7	1.5
Preschool	19.1	13.6	11.4

2) Main issues for Schools Forum

- i) At the Spending Review 2021, the Chancellor announced increases in the funding for the early years entitlements worth £160 million in 2022-23, £180 million in 2023-24 and £170 million in 2024-25, compared to 2021-22. This is for local authorities to increase the hourly rates paid to childcare providers for the government's free childcare entitlement offers and reflects cost pressures, as well as anticipated changes in the number of eligible children. According to research published in November 2022 by the Institute for Fiscal Studies, the higher than expected inflation has eroded the value of the uplift and recent forecasts suggest that the total real-terms funding for the free entitlement will be 8% lower in 2024/25 than it was in 2021/22.
- ii) During Summer 2022, the government consulted on proposed changes to EYNFF, to look to update the data and make changes to the funding formulae prior to reinstating them for 2023/24, alongside a consultation on regulatory changes including changes to the staff:child ratios for 2 year olds.

Links to the DfE consultations

[Early years funding formulae - Department for Education - Citizen Space](#)

[Childcare: Regulatory changes - Department for Education - Citizen Space](#)

Going forwards, they would intend to update the data annually, as is done with the schools and high needs national funding formulae, rather than allowing multiple years' worth of changes to build up.

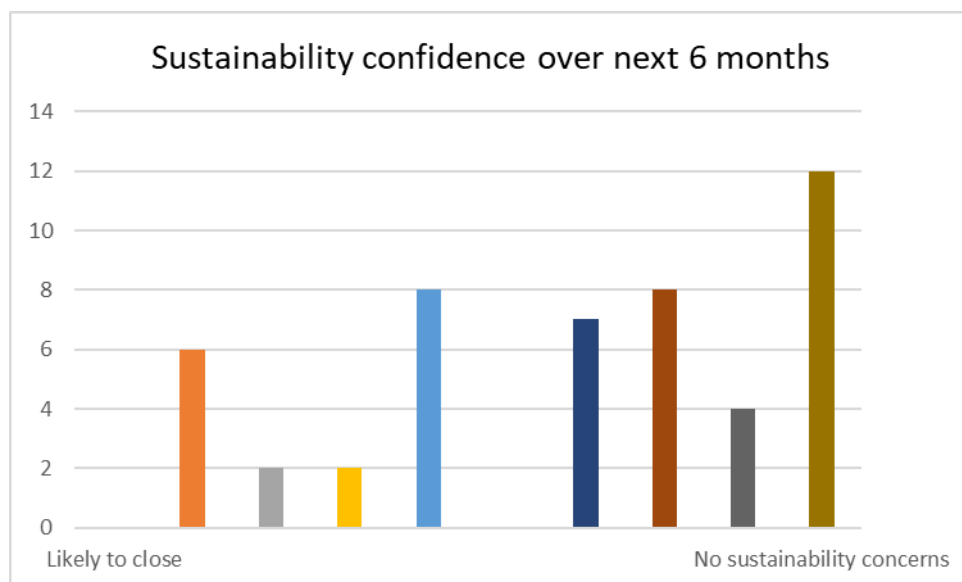
In addition, from the 2023/24 financial year, the government proposed to roll the share of the Teachers' Pay and the Teachers' Pension Employer Contribution Grant, received for school-based nurseries and maintained nursery schools since 2018, into the quantum for the EYNFF, bringing it into line with elements of these

grants paid through the schools and high needs national funding formula (NFF) for 5-16 mainstream schools and special schools since 2021/22 financial year.

For 2023/24, the government proposed to impose year-to-year protections to ensure that every local authority sees an increase in their hourly funding rate.

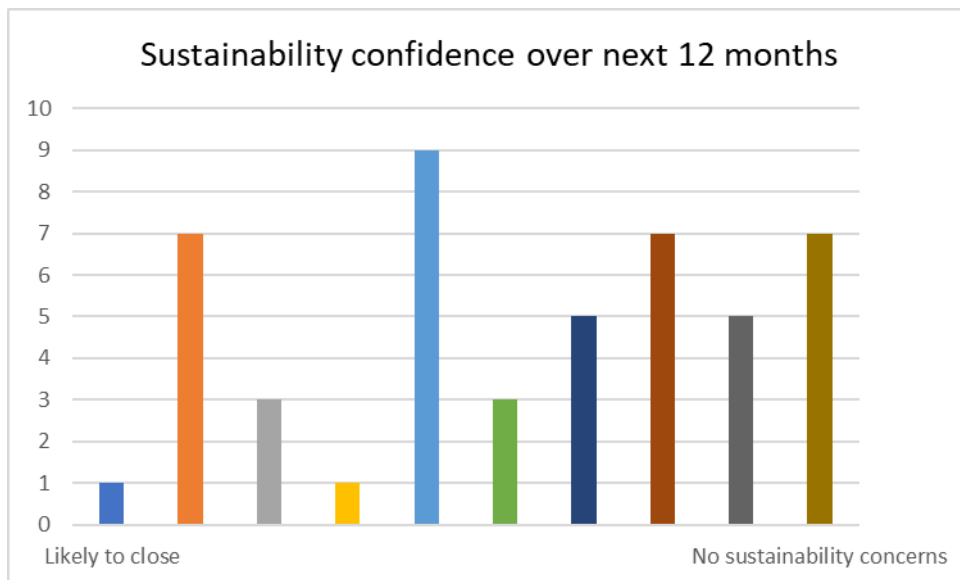
- iii) Previously, we have reported to Schools Forum that Early Years Providers have been subject to cost pressures, in particular the annual increases in the National Minimum Living Wage. It is a widely reported view that the government funding has not met the costs of delivering the early years entitlements for many years. The Private, Voluntary and Independent (PVI) sector has reported that additional unfunded demands during the Covid pandemic and current Covid Recovery periods, in addition to rising business costs, has constrained their ability to afford to recruit and retain a quality workforce. Recruitment and retention in early years and childcare is now at crisis point resulting in some providers limiting the number of places they can offer or, closing the provision. In the year up to the 31st December, 2022 the number of childcare places closed stands at 373 and there is a real threat to the availability of sufficient places in Calderdale over the next 12 months as further closures are predicted.

An on-line Sustainability Survey with all PVI providers was carried out in October 2022 which achieved a total of 52 responses representing a response rate of about 28%. Providers were asked to assess how sustainable they considered their provision to be on a scale of 1 to 10 (with 1 indicating very unsustainable/potential need to close and 10 indicating very sustainable/no concerns for two points in time; over the next 6 months and over the next 12 months).



Providers were reasonably confident they could sustain over the next 6 months with several indicating very high levels of expected sustainability.

However, when considering the next 12 months, there was a drop in the level of confidence with more providers scoring themselves on the scale at between 1 and 5.



Further, there was anecdotal evidence of expected reductions in spending on resources to support children's development, staff training and development, property repairs, food, petrol/transportation costs and outings/additional activities.

- iv) In December, in advance of the delayed report on the government's consultation and funding announcement, the Authority commenced a consultation with Calderdale schools and EY Providers in receipt of Early Years Funding regarding its proposals to make changes to Calderdale's Early Years Single Funding Formula (EYSFF) to better support providers to meet the costs of the funded entitlements, secure sufficient childcare places and provide an early education entitlement to every eligible child who wishes to take one up. The consultation included on-line meetings and attendance at a CPHA meeting. The final decision on the formula, following any consultation, rests with the local authority.

The proposal includes making changes to the composition of the formulae by removing the existing non-mandatory Quality Supplement and directing the funds from this, along with the additional funds through the Teachers' Pay and Pension grants, through the universal Base Rate.

- v) On the 16 December 2022, the government published its report on the consultation on Making Changes to the EYNFF and confirmed the hourly funding rates paid to local authorities in 23/24. Also, it was announced that an additional £20 million, on top of the additional £180 million announced at the Spending Review 2021, had been put into the EYNFF for 2023/24.

The following table shows the hourly funding rates paid to Calderdale for the funded entitlements in 2023/24 compared to the current hourly rates.

Type of Entitlement	2 year-old	Universal & Extended 3 & 4 year-olds
Current Hourly Rate	£5.57	£4.61
Hourly Rate for 23/24	£5.63	£4.87
Increase	£0.06	£0.26
% Increase	1.1%	5.6%

It should be noted that Calderdale receives the minimum funding level for all entitlement after accounting for the TPPG uplift and Protections.

- vi) The 2023/24 Hourly Rates were also confirmed for the Early Years Pupil Premium (EYPP), to support better outcomes for disadvantaged 3- and 4-year-olds, and the Disability Access Fund - an additional payment made to providers to help to make reasonable adjustments within their provision to support eligible 3- and 4-year-old children with a disability.

The following table shows the hourly funding rates paid nationally for EYPP and DAF in 2023/24 compared to the current hourly rates.

Type of Funding	EYPP	DAF
Current Hourly Rate / Annual Value	£0.60 / £342 pa	£800 pa
Hourly Rate / Annual Value for 23/24	£0.62 / £353.40 pa	£828 pa
% Increase	3.33%	3.5%

- vii) Under the regulations introduced in April 2017, local authorities are allowed to centrally retain up to 5% of the total Early Years Funding for 3 & 4 year-olds (excluding EYPP and DAF). Currently Calderdale centrally retains 3.9% (£463,750) to meet the costs of IT infrastructure, staff salaries and running costs to support statutory duties and administrative payments to schools and EY providers.
- viii) In a change to the Early Years Entitlements Operational Guidance published on the 16th December 2022, local authorities must now agree central spend with maintained schools, in addition to Schools Forum.

3) Recommendations

- i) To centrally retain £543,056 (4.3%) of the total funding for the entitlements for 3 & 4 year-olds.

The following table shows a breakdown of the Centrally Retained Funding for 2023/24 compared with 2022/23.

EY DSG Centrally Retained Funding	Budget 2022/23	Budget 2023/24	Comments
IT Systems, Licences & Support	£34,000	£34,000	

Management	£27,650	£61,780	0.58 FTE Service Manager up from 0.26FTE
Early Years Improvement	£46,950	£102,189	2.0FTE EYI Officers
Early Years & Childcare Sufficiency	£279,400	£258,964	1.0FTE Senior Officer 2.6FTE Officers 1.0FTE Business Support Officer Expenses & Marketing Costs
Business Support / Finance	£75,750	£86,123	0.5FTE Senior Officer 1.0FTE Finance Officer
Total	£463,750	£543,056	
Total as % of funding for 3 & 4 yr old entitlements	3.9%	4.3%	

In addition, £16,500 to be centrally retained from funding for the entitlement for 2 year-olds to contribute to costs of IT systems, Licences & Support and to provide for a funding shortfall in the grant allocation.

- ii) To remove the Quality Supplement from Calderdale's Early Years Single Funding Formulae and redirect the funds to increase the hourly rate for the Base Rate.
- iii) To implement the revised funding formula for the 3 & 4 year old entitlements and introduce the new hourly rates, as shown in the table below, from the 1st April, 2023.

	2022/23		2023/24		% Increase in Hourly Rate
	Hourly Rate	% of Total LA Funding	Hourly Rate	% of Total LA Funding	
Base Rate	£4.19	90.89	£4.61	94.66	10.02
Quality Supplement	£0.23	4.24	£0	0.00	
Deprivation Supplement	£0.78	2.96	£0.78	2.80	0.00
Ave. Hourly Rate	£4.52	98.09	£4.75	97.47	5.09

- iv) To implement the revised funding formula for the 2 year old entitlement and introduce the new hourly rates, as shown in the table below, from the 1st April, 2023.

	2022/23		2023/24		% Increase in Hourly Rate
	Hourly Rate	% of Total LA Funding	Hourly Rate	% of Total LA Funding	
Base Rate	£5.32	95.51	£5.58	99.11	4.89
Quality Supplement	£0.23	3.47	£0	0.00	
Ave. Hourly Rate	£5.51	98.99	£5.58	99.11	1.27

4) Reasons for recommendations

- i) The Government expects local authorities to fund central support services for Early Years and Childcare from the EY Block of DSG and this is reflected in the Finance Regulations. By funding these costs in this way, it brings Calderdale in-line with other local authorities and secures essential central services. The amount determined for 2023/24 represents a significant contribution towards the full cost of these services and the increase helps move closer to securing essential support services.
- ii) The Government is providing additional funding in 2023/24 to support an increase in the hourly rate paid for the early years entitlements for eligible 2, 3 & 4 year-olds.
- iii) The Authority is moving to a more simplified local funding formula for the 3 & 4 year-old entitlements, consisting of a Base Rate and the mandatory Deprivation Supplement, by removing the Quality Supplement, allowing the funds to be used more flexibly to support providers to meet the cost of the entitlements, whilst making business decisions regarding the delivery and sustainability of their provision and continuing to support vulnerable children. In addition, the Quality Supplement will be removed from the local funding formula for the 2 year-old entitlement to maintain consistency across both formulae and direct all of the funding solely through a universal Base Rate.

5) Impact of funding, targets and milestones

Contained in this report.

6) Resource implications

Indicative Funding 2023/24

Description	2 year-old entitlement	3 & 4 year-old entitlements
Base Rate	£1,845,002	£11,724,560
Deprivation Supplement	£0	£353,903
Contingency	£0	£0
Central Spend	£16,532	£543,056
Total Expenditure	£1,861,535	£12,621,519
Provisional Indicative DSG Allocation – Dec 2022	£1,861,535	£12,621,519

7) Appendices

Addendum to 3 (i) Breakdown of the Centrally Retained Funding for 23/24

Following our request in January 2023 to maintained schools with nursery classes and Schools Forum to agree with the proposed Early Years Centrally Retained Funding, we are providing further context and detailed information to the proposal, as requested.

Local Authorities must have regard to the following guidance when seeking to discharge their duties pursuant to section 2 of the Childcare Act 2016 and sections 6,7,7A, 9A, 12 and 13 of the Childcare Act 2006. They should not depart from it unless they have good reason to do so.

- Early education and childcare – Statutory guidance for local authorities June 2018
- Early years entitlements: operational guidance for local authorities and providers June 2018
- Early years entitlements: local authority funding operational guide 2023 to 2024 December 2022.

Links to the Statutory and Operational guidance

[Early education and childcare \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/682122/early-education-and-childcare-statutory-guidance-june-2018.pdf)

[Early years entitlements: operational guidance \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/682122/early-years-entitlements-operational-guidance-june-2018.pdf)

[Early years entitlements: local authority funding operational guide 2023 to 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/115444/early-years-entitlements-local-authority-funding-operational-guide-2023-to-2024-december-2022.pdf)

The following table shows a comparison of the Early Years Centrally Retained Budgets for local authorities across the Yorkshire and the Humber Region for 2022/23. (Source: DfE)

England	Total spend via EYSFF – 3&4 yr olds	£2,938,914,396		95.40%
	Other spend – centrally retained budget for 3&4 yr olds	£124,260,938		4.03%
Barnsley	Total spend via EYSFF – 3&4 yr olds	£12,161,010		95.42%
	Other spend – centrally retained budget for 3&4 yr olds	£583,529		4.58%
Bradford	Total spend via EYSFF – 3&4 yr olds	£32,907,409		99.41%
	Other spend – centrally retained budget for 3&4 yr olds	£194,648		0.59%
Calderdale	Total spend via EYSFF – 3&4 yr olds	£11,534,108		96.13%
	Other spend – centrally retained budget for 3&4 yr olds	£463,750		3.87%
Doncaster	Total spend via EYSFF – 3&4 yr olds	£15,607,049		95.62%
	Other spend – centrally retained budget for 3&4 yr olds	£715,570		4.38%
East Riding of Yorkshire	Total spend via EYSFF – 3&4 yr olds	£15,415,934		96.72%
	Other spend – centrally retained budget for 3&4 yr olds	£523,360		3.28%
Kingston upon Hull, City of	Total spend via EYSFF – 3&4 yr olds	£12,676,316		94.78%
	Other spend – centrally retained budget for 3&4 yr olds	£698,517		5.22%
Kirklees	Total spend via EYSFF – 3&4 yr olds	£22,963,046		97.01%
	Other spend – centrally retained budget for 3&4 yr olds	£708,600		2.99%
Leeds	Total spend via EYSFF – 3&4 yr olds	£47,625,891		96.45%
	Other spend – centrally retained budget for 3&4 yr olds	£1,753,100		3.55%
North East Lincolnshire	Total spend via EYSFF – 3&4 yr olds	£7,771,875		95.07%
	Other spend – centrally retained budget for 3&4 yr olds	£402,799		4.93%
North Lincolnshire	Total spend via EYSFF – 3&4 yr olds	£7,116,287		93.32%
	Other spend – centrally retained budget for 3&4 yr olds	£352,000		4.62%
North Yorkshire	Total spend via EYSFF – 3&4 yr olds	£27,666,784		95.04%
	Other spend – centrally retained budget for 3&4 yr olds	£1,443,000		4.96%
Rotherham	Total spend via EYSFF – 3&4 yr olds	£14,152,142		95.32%
	Other spend – centrally retained budget for 3&4 yr olds	£695,406		4.68%
Sheffield	Total spend via EYSFF – 3&4 yr olds	£27,764,985		94.71%

	Other spend – centrally retained budget for 3&4 yr olds	£1,459,886		5.10%
Wakefield	Total spend via EYSFF – 3&4 yr olds	£18,131,653		96.03%
	Other spend – centrally retained budget for 3&4 yr olds	£748,964		3.97%
York	Total spend via EYSFF – 3&4 yr olds	£9,118,554		95.03%
	Other spend – centrally retained budget for 3&4 yr olds	£476,536		4.97%

Summary of the Early Years Central Support Service Functions

ICT: Systems, Licences and Support

2023/24 cost of service: £40,000 (£40,000 / 2022/23)

The Council uses the Capita system to manage the statutory duty around the provision of and payment for funded entitlement places. The annual cost is expected to be £20,000.

In addition, in discharging its duties under Sections 6, 11 and 12 of the Childcare Acts 2006 and 2016 to provide information, advice and assistance to parents and prospective parents, the Council operates the IDOX systems to manage and disseminate information to the public. The annual charge of £20,000 is accrued to meet the periodic cost of updating and renewing licences. A new 3-year licence was purchased in 2021/22 at a cost of £50,000, following a full procurement exercise which included bids between £50,000 and £100,000.

The spend on ICT over a 3 year period (2019-2022) was £127,000.

It is proposed that this cost is met by a contribution of £6,000 from 2 year-old funding and £34,000 from 3 & 4 year old funding.

The Authority could not fulfil its statutory duties without these systems in place.

Management

2023/24 cost of service: £61,780 (£27,650 / 2022/23)

The Council provides local strategic leadership in early years and management of the Early Years Teams.

Under the current management structure in the Children and Young People's Directorate, the cost equated to a proportion of time for the Service Manager Early Years and School Strategy and Performance post. The current structure will be subject to change in 2023/24 due to changing roles within the Directorate and it is assumed that the proportion of time allocated to early years statutory duties will rise to 0.58, from 0.26.

Early Years Improvement

2023/24 cost of service: £102,189 (£46,950 / 2023/24)

The Early Years Improvement Officers provide support, challenge and guidance for all areas of the Early Years and Childcare market in Calderdale. They work in partnership with

providers to ensure the effective implementation of the Learning & Development, Assessment and Safeguarding & Welfare Requirements of the Early Years Foundation Stage (EYFS 2021) and the Ofsted compulsory and voluntary childcare registers. The role of the Early Years Improvement Team is to:

- Work collaboratively with early years and childcare providers, giving priority to those who have been rated less than good by Ofsted.
- Negotiate and support the implementation of a range of interventions which are targeted at raising the quality of provision in line with Ofsted actions and recommendations.
- Deliver tailored whole team training to providers where needed.
- Support practitioners to identify children who may be at risk, through developing good practice relating to Safeguarding and Early Intervention.
- Provide advice and practical support to providers on a range of inclusion issues to ensure children with additional needs and/or SEND are effectively supported.
- Support providers with referrals to specialist services when required.

Advise and inform potential providers (including pre-registration childminders) on the key principles of:

- o creating and developing a high quality and sustainable business
- o implementing EYFS requirements
- o implementing any other legislative requirements
- o understanding and implementing Calderdale specific policies, procedures and practices

- Support prospective childminders to complete the Childminding UK training package prior to registration with Ofsted by helping them to understand and embed Calderdale procedures, by signposting to relevant services and by encouraging ongoing working partnerships with the team.
- Support the continued development and consolidation of early years and childcare provider groups, forums, and networks, and to write and deliver training.
- Encourage and support links between early years and childcare settings, Children's Centres, and schools through sharing of good practice and dissemination of ideas, current research and government agenda.
- Support effective transitions for children.

A key focus for the team in 2022 has included:

- Supporting providers to identify children whose development may have been adversely affected by the Covid-19 pandemic, and to put effective support in place for these children – referring to specialist services where needed.
- Promoting the importance of emotional health and wellbeing support for children, families and staff.
- Supporting providers with the current difficulties in the recruitment and retention of staff and working with other agencies to plan for future recruitment.
- Paying particular attention to the development of speech, language and communication of children in line with Government agenda via the team's SLC Champion.
- Contributing to the speech, language and communication needs pathway development in collaboration with other supporting agencies such as the Portage and Early Years Support Teacher Team and Locala.
- Supporting childcare providers with child protection and safeguarding issues, including signposting to other agencies.
- Delivering whole team safeguarding training to providers where needed.

- Working collaboratively with the Local and Public Health to review children's health and the food resilience of families in Calderdale.
- Continuing to share domestic abuse notifications including Encompass notifications with the sector to support effective information sharing and child protection and supporting settings to put in appropriate strategies for families particularly those who have high numbers of referrals.
- Continuing to facilitate Designated Safeguarding Lead meetings to support providers in all areas of child protection and safeguarding.
- Working collaboratively with Calderdale Safeguarding Children Partnership to share skills and knowledge to develop training that supports all agencies.
- Keeping the sector up to date with changes in legislation and topics of interest through regular email communications, social media posts and 30 minutes 'BiteSize' online sessions.

In 2019 a review was undertaken of the Quality Improvement Support Team, as it was then known, and a new structure was implemented in January 2020. At that time, the Team consisted of a Senior Officer and 6.2FTE Officers and it was determined that to fulfil the Authority's statutory duties it required 2.0FTE Officers. The statutory duties have not changed significantly since 2018 but the demand for support, which is required all-year round, is increasing due to the challenges to maintain quality when managing a real-term reduction in funding and a recruitment and retention crisis and respond to the additional needs of children post-Covid. In 2022/23, only 1FTE officer was funded through the EY DSG but as part of the planned Council budget reduction in this Team, from April 2023 to secure the service the cost of both posts will have to be met from EY DSG. To provide further capacity within the Early Years Improvement Team to undertake what may be considered discretionary duties, the Council will continue to fund an additional term-time only officer. These officers report to the Senior Early Years and Childcare Sufficiency Officer.

Early Years and Childcare Sufficiency Team

2023/24 cost of service: £258,964 (£279,400 / 2023/24)

The Early Years and Childcare Sufficiency Team (EYCST) has lead responsibility for monitoring and paying the early education funding to early Years providers in Calderdale. They also support the development of childcare places by providing up to date market management information to support business decisions. The EYCST makes use of several statistical sources to establish current and likely parental demand.

The team has overall responsibility for delivering many of the key duties in the Childcare Acts 2006 and 2016, including the provision of an information service for families which it provides by telephone, face to face, online and using social media.

The EYCST runs marketing campaigns throughout the year aimed at communicating details of local childcare and family services provision and the early education entitlements to parents.

In June 2022, the Childcare and Family Services website was reviewed and relaunched to better meet the demands of customers. The website received the following numbers of unique visits per month in 2022.

Month	Number of unique visits
January	9,266
February	11,456
March	14,939
April	13,986
May	10,219
June	15,091
July	20,682
August	27,941
September	25,966
October	14,474
November	16,909
December	21,463

As a result of budgetary pressures due to increasing staffing costs across the EY support services, the budgets for other costs and advertising will be reduced in 23/24 by £34,800 to £19,200, a similar level for these budget pre-Covid.

Business Support and Finance

2023/24 cost of service: £86,123 (£75,750 / 2023/24)

The Children and Young People's Finance Team provide business and financial information, advice and support to all types of early years and childcare providers. This team supports schools, settings and childminders that are in receipt of funding for Early Learning and Childcare, to comply with statutory guidance and local funding agreements. This support is achieved by undertaking regular compliance audit visits and through one-to-one support, developing and providing resources and delivering briefings.

The Team provides information, advice and support for early years and childcare providers (including employees and prospective providers) regarding:

- Governance and models of delivery.
- National and local policy on the funded entitlement for 2, 3- & 4-year-olds.
- Business Planning and Sustainability.
- Financial Planning and Management, including accessing and reporting capital and sustainability grants.
- Systems and Processes to comply with Local Authority funding arrangements.

In addition to the support listed above, the Team ensures that the Authority complies with finance regulations and submitting statutory finance reports to the Government.

The Team resumed Audit visits in January 2022 after the recruitment and training of a replacement member of the Team in late 2021. For the period 1 April to 1 November 2022, the Team have undertaken 74 compliance visits, including 10 review of actions and 11 support visits, including visits to help new administrators and newly funded providers comply with financial and statutory requirements.

The implications of a reduction in any of these budgets would result in the Council failing to fulfil its statutory duties and comply with legislation and regulations.

In the situation of Schools Forum and Maintained Schools with nursery classes not agreeing to the proposed budget, then the matter would have to be referred to the Secretary of State to adjudicate.

Budgets must be set by the 28 February 2023.

Report to Schools Forum

Meeting Date	23 February 2023
Subject	Spend on High Needs Block Provision, including arrangements for commissioned places for pupils with Special Educational Needs
Report Author	Paul Tinsley – Interim Assistant Director Education and Inclusion Steve Drake – Finance Manager Children & Young Peoples

Report purpose

To inform Schools Forum members as to the Dedicated Schools Grant (DSG) High Needs Block allocation for 2023/24 along with an overview on how this funding is to be utilised.

Need for decision

Schools Forum is asked to note the content of the report, the High Needs funding for 2023/24 and its proposed use.

Contact Officers

Paul Tinsley – Interim Assistant Director Education and Inclusion Paul.tinsley@calderdale.gov.uk

Steve Drake – Finance Manager CYP Steve.drake@calderdale.gov.uk

Report to Schools Forum

8. Background information and context

- 1.1 Local authorities are required to advise their school forums on the proposed use of the High Needs Block (HNB) funding.
- 1.2 The operational guide sets out restrictions on how authorities can spend their allocations, and that authorities have flexibility to move money to and from their High Needs block into and from other DSG blocks if they wish.
- 1.3 The High Needs funding system supports provision for children and young people with special educational needs and disabilities (SEND) from their early years to age 25, enabling both local authorities and institutions to meet their statutory duties under the Children and Families Act 2014.

High needs funding is also intended to support good quality Alternative Provision (AP) for pre-16 pupils who, because of exclusion, illness or other reasons, cannot receive their education in mainstream or special schools.

The High Needs Funding Block provides local authorities with resources for place funding and top-up funding for institutions, and funding for high needs services delivered directly by the authority or under a separate funding agreement with institutions, as permitted by regulations.

- 1.4 The use of High Needs DSG funding is very specific. Attached in Appendix 1 is an extract from the Section 251 regarding the uses of the High Needs funding. Section 251 is part of the Apprenticeships, Skills, Children and Learning Act 2009.

9. Funding Allocation

- 2.1 In December 2022 the total 2023/24 High Needs funding allocation for Calderdale was announced as **£33,294,894**. The amount for 2022/23 was **£29,842,259**, giving an increase in 2023/24 of **£3,452,635**.
- 2.2 The Council's overall allocation is top-sliced to fund pupils directly funded by the Education and Skills Funding Agency (ESFA) for post-16 pupils, pre-16 pupils in academies and deductions for place led funding in academies. This element of funding is then allocated direct to schools/academies/colleges via the EFSA as follows in Table 1 below:

Table 1: Funding allocated for top slice elements

Provision	2022/23 top slice
FE Places (16+) 130 places @ £6k Academy PRU Places (80@ £10K) SEN units and pre-16 Academy pupils (34 places @ £6k)	£1,784,000
TOTAL	£1,784,000

- 2.3** The number of placements used to define funding is based on the annual place change notification return.
- 2.4** This leaves **£31,510,894** available to be spent by the Directorate compared to £28,022,260 in 2022/23, an increase of **£3,488,634**.
- 2.5** For the purposes of the report this is categorised into 4 specific areas
- a) Special Educational Needs (SEN)
 - b) Special Schools
 - c) Specialist Inclusion Services
 - d) Other
- 2.6** Table 2 below summarises how the funding is allocated in 2023/24 across these are 4 areas

Table 2 – 2023/24 High Needs Block Requirement

Area of Spend	2023/24 Funding Requirement
Special Schools	£11,388,887
Special Educational Needs (SEN)	£16,329,783
Specialist Inclusion Services	£3,533,437
Other	£258,787
Total	£31,510,894

- 2.7** The HNB allocation for 2022/23 is projected to have a £1.2 million pound overspend which reflects the unprecedented increased demand for new EHCP's, support for Early Years and Special School places and necessity for Independent Non-Maintained Special School placements for Calderdale pupils.

10. Main issues for Schools Forum

3.1 High Needs Commissioned Places

- 3.1.1** There has been continued increased demand for special school places as the overall number of EHCP's has increased. This increase is reflected in an increased budget of £11,388,887 for 2023/24 in comparison to the 2022/23 figure of £9,444,100. Increased placements will be supported by a combination of increased capacity delivered through capital projects and increased use of the special school 'HUB' model with additional delivery partners.

There is a planned review of Independent Non-Maintained Special School placements to maximise efficiencies using commissioning opportunities and increased capacity within the maintained special school sector. Calderdale have submitted a bid to the DfE for a Special Free School and will submit information regarding special School and Alternative Provision in the 2023 SCAP return. This will potentially provide an opportunity for an increased capital allocation from the DfE.

3.1.2 Table 3 below shows the funding required based on planned places (the schools retain any under/overspends).

Table 3: Special Schools High Needs Funding requirement

Schools (High Needs)	2023/24 Funding requirement
Primary Special Schools	£5,166,160
Secondary Special school	£5,637,900
Special Schools Supplementary Grant 2023-2024	£344,827
Contingency	£240,000
TOTALS	£11,388,887

3.1.3 The allocation assumes a level of contingency of £240k for growth in Special Schools.

3.1.4 Places, in line with ESFA regulations, continue to be funded at £10,000 per place plus individual top up funding.

As of February 2023, there are 461 commissioned places in maintained special schools, including 244 places at Ravenscliffe, including Spring Hall Post 16 provision, 104 places at Highbury and 113 places Wood Bank. The number reflects admissions at phase transfer stages (Reception, year 6-7 and Post 16 and in year transfers from mainstream schools and children moving into authority). This is an increase of 76 from 385 in September 2020 and an increase of 104 from 357 in September 2019.

3.1.5

Table 4 Summary of place growth 2021/22 to 2023/24

Settings	2021/22	2022/23	2023/24	Increase
Primary	174	217	250	33
Secondary	211	244	270	26
Totals	385	461	520	59

3.1.6 Continued demand on special school places is highlighted in Table 4 which shows the comparative growth. As the current primary special school cohorts transfer to secondary this will continue to put pressure on special school provision in conjunction with new to the Area pupils and increased EHCP demand.

3.2 Education, Health & Care Plans

Funding for High Needs support has increased from £11,600,000 in 2022/23 to £16,329,783 in 2023/24 reflecting increased demand in Early Years, Primary phase, and Independent Non-Maintained Special School placements. Additionally, schools have reported increased complexity of needs which has resulted in increased requests for additional funding which has resulted in an increase in top up funding from £4,150,000 in 2022/23 to £4,926,602 in 2023/24.

3.2.1 There are 1928 active EHCP's in Calderdale. 21 of these are young people who are placed to live out of Authority as of 07/02/2023.

3.2.2 A further 119 are currently within the 20 week EHCA/P process, having progressed through moderation panel as of 7/2/2023.

3.2.3 In the calendar year January 2022 to December 2022 322 new EHC Plans were issued, compared with the same time period January 2021 to December 2022 – 264 an increase of 58.

3.2.4 The breakdown of EHC plans are:
With the largest proportion being the Primary Age range

NCY -2 to NCY -1 = 72 - 3%
NCY 0 to NCY 6 = 821 - 43%
NCY 7 to NCY 11 = 623 - 33%
Post 16 = 413 - 21%
Total 1929

3.3 Special Educational Needs (SEN)

Special Educational Needs includes the SEN Assessment & Support Team, Top ups to schools, academies and the Alternative Provision Academy, payments to out of area and independent Special Schools and SEN support provision.

Table 5 below shows the funding required in 2023/24.

Table 5 – SEN - High Needs 2023/24 Funding requirement

Specialist Educational Needs	2022/23 funding requirement	
SEN Team		£1,156,240
SEN High needs top ups to school EHC contingency	£4,926,602	
AP Academy – Top Up	£141,271	
	£135,766	
		£5,203,639
Special school hubs		£1,000,000
TWAPA		£1,301,654
Contingency		£200,000
EHC Support		£1,500,000
Special/Extra District		£5,600,000
SALT Contract		£248,250
Hard to Place SEN Support		£120,000
TOTAL		£16,329,783

3.3.1 SEN Team - £1,156,240

The funding reflects the additional capacity required to meet unprecedented increased demand for EHCP Assessments and Plans. There has been an increase of Caseworkers, SEN Officers, and the introduction of a Senior SEN Officer post following last years review of the service.

3.3.2 Top Up Funding - £5,203,639

There is a proposed review of Top-up funding levels and impact for mainstream and special schools to ensure the model remains fit for purpose and provides the right support at the right time for pupils with SEN.

Top-up funding is the funding required, over and above the core funding a setting receives, to enable a pupil or student with high needs to participate in education and learning.

This budget is based on the current number EHC Plans as at January 2023 with no proposed increase in rates reimbursed to mainstream schools/academies.

The High Needs Operational Guidance has set a minimum funding guarantee (MFG) for maintained special schools as a condition of the DSG grant. This has been set at 3% for 2023/24 against the 2021/22 funding baselines. It is proposed that Special School top up funding be increased by 3.4%.

Table 6 - Number of EHC Plans THIS REPLICATES THE SEN 2

Age	2019	2020	2021	2022	2023	INCREASE OVER 4 YEARS
Under 5	90	99	103	124	180	90
Age 5 to 10	432	495	562	613	713	281
Age 11 to 15	433	439	471	524	623	190
Age 16 to 19	241	245	295	321	327	86
Age 20 to 25	63	85	93	132	86	23
Total	1259	1363	1524	1714	1929	670

3.3.3 Special school hubs - £1,000,000

There is a proposed increase of four Special School HUBS to provide additional special school capacity going forward.

3.3.4 TWAPA - £1,301,654

There is a contract in place for 80 places.

3.3.5 School based ASD – Sowerby Bridge

This has been set in line with the existing SLA with Trinity Academy Sowerby Bridge for the ASD Provision.

3.3.6 Highbury Satellite provision

This has been set in line with the existing SLA.

3.3.7 New Primary Autism Unit

Provision has been made to establish a new Autism Unit for the Primary Sector.

3.3.8 Secondary Nurture Provision

This is the contracted provision at Ryburn and Brighouse.

3.3.9 Contingency - £200,000

A contingency has been set to allow for anticipated growth.

3.3.10 EHC Support - £1,500,000

EHC Support is mainly Post 16 College provision for young people with EHC Plans and bespoke packages of support (including music therapy, horse riding, activities & sports).

Post 16 College provision has remained relatively stable in 2021/22 but a small element of growth is assumed for 2022/23.

This is a more cost effective & local based service provision compared to being placed in more specialist residential settings.

There is also a requirement to fund Specialist equipment & loan store, mediation, OT support and other one –off special support.

3.3.11 Special/Extra District - £5,600,00

These funds children being accommodated in special, independent, and private provision both within Calderdale and out of area rather than in our own maintained or special schools.

There has been a significant increase in Independent Non-Maintained Special School placements, reflecting the increased demand for special school places and the lack of capacity in our own maintained special schools. Individual children with complex learning and behavioural needs require bespoke provision and this is the subject of potential capital projects to provide in-house provision in Calderdale.

Independent Non-Maintained Special School placements will be the subject of a review and opportunities explored to reduce cost via commissioning arrangements, alternative placements and the provision made.

3.3.12 SALT Contract- £248,250

This is the value of the existing commissioned service.

3.3.13 Hard to Place SEN Support £120,000

This funding is to enable the Directorate to meet the needs of pupils who do not have an EHCP, but the Council has a statutory duty to put in place an alternative provision when required.

3.4 Specialist Inclusion Services

3.4.1 This includes the Specialist Inclusion Service, Vulnerable Learners Team, SENDIASS and the Medical Needs Team.

3.4.2 Table 7 below shows the funding required in 2023/24.

Table 7 – Specialist Inclusion - High Needs Funding requirement

Specialist Inclusion	2023/24 Funding requirement
Specialist Inclusion Service	£2,200,000
Vulnerable Learners Service	£51,831
Medical Needs Team	£303,922
SENDIASS	£127,684
Early Years Inclusion	£850,000
TOTALS	£3,533,437

3.4.3 The £3.533m is required to support the following areas:

i) **Specialist Inclusion Service – £2,200,000**

Funding is required to support the ASD Team, Resource Technicians and the Sensory Team and Early Years & Portage Team. This service is free at the point of delivery to maintained and Academy Schools and is experiencing an unprecedented increase in demand. A re-structure of this Service was completed in 2021 but a further review of support criteria, methodology of interventions and impact is required to fully understand the staffing requirements to meet current and future demand. Support for pupils with SEMH was previously delegated to schools but there has been increased demand for support from schools and this will also be part of the review.

ii) **Vulnerable Learners - £51,831**

Part funds Service Manager Vulnerable Learners post.

iii) **Medical Needs Team - £303,922**

There has been increased demand from Primary and KS3 pupils. Increased staffing has been put in place to support demand.

iv) **SENDIASS - £127,684**

This is funding the Calderdale contribution to the Joint Service with Kirklees and reflects the additional funding required for the recent approved regrading.

v) **Early Years Inclusion - £850,000**

There has been an unprecedented increased demand from High Needs for inclusion work in Early Years. There has been a significant increase in spend in 2019/20 on services to 2 year olds with low & emerging needs and services to 2, 3 & 4 year olds who are in receipt of EHC Plans. Despite an increase in budget in 2022/23 this was an area of significant overspend and will be subject to review.

3.5 Other

3.5.1 £258,787 High Needs funding is required to support the Other category and is show in Table 8 below.

Table 8 – Other Services - Use of High Needs

Other	2023/24 Funding requirement
All Age disability / mental health team	£45,150
Disabled Children's Team	£113,637
Recovery plan 2022/23 overspend contribution	£100,000
TOTAL	£258,787

3.5.2 The **£259k** is required to support these areas detailed below:

ii) Commissioning Post - £45,150

Funding is required for 1fte post 18 Development Officer within the Integrated Commissioning Unit to support young people with SEND to make a positive transition to adulthood, including paths to employment, good adult health, independent living and participating in society.

iii) Disabled Children's Team - £113,637

Funding is required to fund the existing 2.5fte Occupational therapy posts.

iv) 2022/23 High needs overspend - £100,000

The 2022/23 High needs budget is forecast to overspend by £1.2m in 2022/23. A recovery plan is required to be submitted to DFE & the overspend is required to be recovered over the next 3 years. £100k has been set aside as part of this requirement.

If the increased demand for special school placements, EHCP Needs Assessment and issuing new EHCP's continues it will become increasingly difficult to address the current deficit position and avoid a further overspend in High Needs. Therefore it should be noted that over the next financial year further consideration will be given to requesting a contribution to High Needs from the Dedicated Schools Grant of at least 0.5% in order to achieve a balanced budget.

11. Recommendations

Schools Forum is asked to note the content of the report and support the recommended use of the High Needs funding envelope for 2023/24.

12. Reasons for recommendations

Contained in this report.

13. Impact of funding, targets and milestones

Contained in this report.

14. Resource implications

Contained in this report.

15. Appendices

Appendix 1

Extract from Section 251 (Apprenticeships, Skills, Children and Learning Act 2009) Guidance – Use of High Needs Budget

Top up funding – maintained schools:

The planned expenditure on top-up funding for maintained schools, including pupil referral units (PRUs). Top-up funding is paid to schools for pupils with high needs in mainstream classes, in special units and resourced provision attached to mainstream schools, in special schools and in PRUs and in sixth forms. Top-up funding is usually administered directly by local authorities from a central high needs budget. Where such funding has been devolved to schools for them to decide what to pay other schools (for example, when a school pays top-up funding for a pupil it places in a PRU), this funding should also be included.

Top up funding – academies, free schools and colleges:

Top-up funding is paid to academies for pupils with high needs in mainstream classes, in special units and resourced provision attached to mainstream academies and free schools, in special academies and free schools in alternative provision academies and free schools, and in academy and free school sixth forms. Top-up funding for students with high needs in further education colleges, sixth form colleges and local authority post-16 provision should also be included in this line, in the post-school column. Top-up is usually administered directly by local authorities from a central high needs budget.

Top-up and other funding – non-maintained and independent providers:

The planned expenditure on top-up funding for non-maintained special schools, and planned expenditure on pupils with SEN statements or education, health and care (EHC) plans at independent schools, including pupils in sixth forms.

Additional high needs targeted funding for mainstream schools and academies:

The planned expenditure from the authority's high needs budget which is given to mainstream schools and academies to ensure that they have enough funding to meet additional support costs up to £6,000 for pupils with **SEN**, where they cannot reasonably do this out of their budget share. Local authorities were asked to give more detailed information about such targeted funding in their APT return. More information on the APT is available.

SEN support services:

Include the costs of non-delegated centrally retained specialist SEN support services for pupils with or without statements or EHC plans, whether supported directly by the local authority or commissioned by them. This will include services for visual, hearing and physical impairment, specific learning difficulties, speech, language and communication, profound and severe learning difficulties, and autism. You should include:

- Costs of these services for 0-5 year olds.
- Costs of providing these services to home educated children.
- Costs of early years SENCOs who are centrally managed across a number of early years providers.

Hospital education services:

hospital education is defined in the regulations as education provided at a community special school or foundation special school established in a hospital (usually called a hospital school), or under any arrangements made by the local authority under section 19 of the Education Act 1996 (normally provision in PRUs or services centrally managed by the local authority, where the child is being provided with such education by reason of a decision made by a medical practitioner).

Only include expenditure on hospital education services. It should include both services made available to children and young people resident in the local authority's area and services made available to those who are in the area because that is where they are receiving their health care. It should also include expenditure on the local authority's pupils who are receiving their education from an independent hospital education provider.

Other alternative provision (AP) services:

include planned expenditure on AP services provided directly or commissioned by the local authority. This may include funding for home educating parents. Also include funding for AP providers other than PRUs, AP academies and AP free schools. Include funding for commissioned services delivered by PRUs, AP academies and AP free schools, but exclude any funding for places at these AP providers (which should instead be included in line 1.0.1 and specified in table 2) and any top-up funding in respect of pupils at these providers (see lines 1.2.2 and 1.2.3).

Support for inclusion:

- Collaboration between mainstream and special schools and primary and secondary schools to enable children with special educational needs to take part in mainstream activities.
- Devolved expenditure for the integration of children from specialist to mainstream settings and the provision of discrete services or projects to promote such integration, such as commissioned outreach services.

Do not include recharges or the cost of monitoring SEN provision.

Special schools and PRUs in financial difficulty:

include expenditure on assisting special schools and PRUs in financial difficulty.

Therapies and other health related services:

include costs associated with the provision or purchase of speech, physiotherapy and occupational therapies. Include any expenditure on the provision of special medical support for individual pupils which is not met by a Primary Care Trust, National Health Service Trust or Local Health Board.

Item 10



Schools Forum
Work Programme 2022/23

Prepared by

Paul Tinsley, Interim AD Education and Inclusion

Richard Morse, School Organisation and Access Manager

Meeting date	Venue	Reports		Deadline for papers
1 December 2022	Virtual	Elect Co-Vice Chairs – Ian Hughes	Decision	14 November 2022
		Forum Constitution and Terms of Office– Ian Hughes/Tony Guise – verbal	Decision	
		Allocation of funding to school improvement clusters – half yearly impact report – Paul Tinsley/Connie Beirne/Jane Davy	Information	
		Reforming how Local Authority school improvement functions are funded – Connie Beirne	Information	
		Pupil Planning document – Richard Morse	Information	
		School funding update report – Jane Davy	View/Consultation	
		Growth Fund report – Jane Davy	Decision	
		Falling Rolls report – Jane Davy	Decision	
		Update on maintained schools balances – Jane Davy	View/Information	
		Capital Maintenance Briefing paper – Richard Morse	Information	
		Work programme	Information	
12 January 2023	Virtual	Forum Constitution and Terms of Office– Ian Hughes – verbal	Decision	19 December 2022
		Summary of schools operational guidance – Tony Guise	Information	

Meeting date	Venue	Reports		Deadline for papers
		De delegation of School improvement functions – Paul Tinsley/Connie Beirne	Decision	
		Schools funding 022-24 update – Jane Davy	Consultation	
		Falling Rolls – Jane Davy	Decision	
		Growth fund update – Jane Davy	Decision	
		De-delegation including Union facilities – Gillian Poole/Jane Davy to present	Decision	
		Early Years Funding – Martyn Sharples	Decision	
Exception Meeting 23 February 2023	Virtual	Admissions and School Rebuilding Programme – Richard Morse	Decision	10 February 2023
		De delegation of school improvement functions – Addendum – Connie Beirne	Decision	
		Review of services to schools – Michael Holgate and Steve (Allocation of 2023/24 Central Service Schools block (CSSB) central spend)	Decision	
		Early Years Funding - addendum – Martyn Sharples	Consultation and Decision	
		Allocation of 2023/24 High needs block – Steve Drake	Information	
27 April 2023	Virtual	Forum Constitution and Terms of Office – Ian Hughes	Information	17 April 2023
		Allocation of Funding to School Improvement Clusters (half year report) – Connie Beirne	Information	

Meeting date	Venue	Reports		Deadline for papers
		Early years block provision, central spend – Martyn Sharples	Consultation/Decision	
		Spend on High Needs Block provision including arrangements for commissioned places for pupils with Special Educational Needs – Sue Williams	Information	
		Maintained School Balances – Spring Monitor – Jane Davy	Information	
		Self-Assessment Feedback – Ian Hughes – verbal update	Discussion	
		Work programme	Information	
22 June 2023	Virtual Meeting	Scheme for Financing Schools and National Funding Formula – Jane Davy - TBC	Decision/Information/Discussion	17 June 2023
		Final Balances and 3-year Budget Plans – Jane Davy	Information	
		Claw Back Report – Jane Davy	Discussion/Decision	
		Work programme	Information	