

# **JOINT MEMORANDUM OF UNDERSTANDING**

**Between the Department for Education and Local Authority**

**For**

**The provision of funding from the Department for Education for the extension of the Virtual School Head role to the cohort of children with a social worker<sup>1</sup>**

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## **1. Purpose of this Memorandum of Understanding**

- 1.1 This Memorandum of Understanding (MoU) is entered into between the Department for Education (DfE) and Local Authority (LA).
- 1.2 The MoU provides a framework for how the LA is expected to share information with the Department for Education as they deliver an extension to the role of the Virtual School Head to promote the educational outcomes of the cohort of children with a social worker, from April 2023.
- 1.3 The MoU is not legally binding.
- 1.4 This MoU should be read in conjunction with the [Grant Determination Letter](#) issued to the LA and the non-statutory guidance [Promoting the Education of Children with a Social Worker](#), published by the Department for Education. The Grant Determination Letter sets out the LA funding allocation and expectations on how the funding should be spent. The non-statutory guidance describes the objectives of the Virtual School Head role extension and the activities that they should undertake.

## **2. Background on Virtual School Head extension to children with a social worker**

- 2.1 The Department for Education's Children in Need review concluded in 2019 and highlighted for the first time that 1.6 million children had needed a social worker in the previous six years, the equivalent to 1 in 10 children or an average 3 children in every classroom. The Children in Need review recommended that the Virtual School Head, as a strategic leader, could help bring together local authorities and education settings to improve the educational outcomes of children with a social worker. Virtual School Heads, who have statutory responsibilities for looked-after and previously looked-after children, are well positioned to enhance partnerships between agencies and raise aspiration for this cohort of children.

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<sup>1</sup> For a full definition of children that Virtual School Heads will have responsibility for, please see the non-statutory guidance.

2.2 The Children in Need review found that children with a social worker do worse than their peers at every stage of their education and poor outcomes persist, even after social worker involvement ends. Experiences of adversity and trauma can create barriers to education that affect attendance, learning, behaviour and wellbeing. However, with the right support in place, children can overcome these barriers to reach their potential.

### **3. Objectives and Activities**

3.1 From 2021, local authorities received funding to resource the Virtual School Head to work with early years settings, schools, colleges and social care leaders to create a culture of high aspirations that helps all children with social workers to make educational progress. Funding will continue for FY2023-24.

3.2 The extended Virtual School Head role will;

- make visible the disadvantages that children with a social worker can experience, enhancing partnerships between education settings and local authorities to help all agencies hold high aspirations for these children.
- promote practice that supports children's engagement in education, recognising that attending an education setting can be an important factor in helping to keep children safe from harm.
- level up children's outcomes and narrow the attainment gap so every child can reach their potential. This will include helping to make sure that children with a social worker benefit from support to recover from the impact of COVID-19.

3.3 Key activities that will be critical to the success of the Virtual School Head role include;

- enhancing partnerships between education settings and the local authority so agencies can work together.
- identifying the needs of the cohort and addressing barriers to poor educational outcomes, including attendance, and ensure pupils make educational progress.
- offering advice and support to key professionals to help children make progress, including through increasing their confidence in using evidence-based interventions.

#### **4. Department for Education funding**

4.1 The Department for Education has made a total of £16.6m available to local authorities to extend the role of the Virtual School Head to 31 March 2024. All local authorities, with the exception of the Isles of Scilly and City of London, will receive a baseline of funding, and for areas with the highest numbers of education settings further ‘top up’ funding has been allocated via a funding formula. Full details of specific funding amounts are found in the [Grant Determination Letter](#).

4.2 The deadline for LAs to sign and return this MoU to the Department for Education is 14 July 2023.

#### **5. Payment Details**

5.1 The LA will receive funding through Section 31 of the Education Act 2002. Payments for FY 2023-24 will be made in three equal tranches in September 2023, December 2023 and March 2024.

5.2 It is expected that funding will be utilised for purposes outlined in the programme aims and objectives.

#### **6. Reporting**

6.1 The Department for Education and the programme’s independent research partner may ask the LA to share information about how their Virtual School Head has been supporting children with a social worker and what funding has been used for. This research will help develop a strong evidence base for how Virtual School Heads can effectively promote the educational outcomes of children with social workers. It is expected that LAs take part in grant monitoring activity.

6.2 In addition, the LA may be asked to take part in focussed interviews to understand what helps Virtual School Heads to be effective in supporting children with a social worker. These interviews will involve Virtual School Heads, their teams and partner agencies. LAs may utilise reasonable funding provided to extend the role of the Virtual School Head for this activity. These interviews will offer more detailed insights and help ensure Virtual School Heads can learn from each other and the Department for Education can support the sharing of best practice.

#### **7. Financial Management**

7.1 The LA must maintain a sound system of internal financial controls. If the authority has any grounds for suspecting financial irregularity in the use of any grant paid under this funding agreement, it must notify the Department immediately, explain what steps are being taken to investigate the suspicion and keep the Department informed about the progress of the investigation. For these purposes “financial irregularity” includes fraud or other

impropriety, mismanagement, and the use of grant for purposes other than those for which it was provided.

7.2 Furthermore, the LA will be expected to provide an annual financial progress report on total receipt, expenditure of funding, and planned expenditure within the grant period as shown in the annex. The form to be completed will be circulated to LAs on 6 November 2023 with instructions for completion and return. The financial progress report should be completed by the lead officer in the LA for the programme duties, signed and submitted by 8 December 2023 to the following email address: [VSH.CIN@education.gov.uk](mailto:VSH.CIN@education.gov.uk). This process enables the department to meet its grant assurance obligations. Where funding is not spent for the purpose for which it was intended as set out in the grant determination letter, and in accordance with the memorandum of understanding and non-statutory guidance, the department may withhold future funding payments.

## **8 Records to be kept**

8.1 The authority must maintain reliable, accessible and up to date accounting records with an adequate audit trail for all expenditure funded by grant monies under this Determination.

8.2 The authority and any person acting on behalf of the authority must allow: a) the Comptroller and Auditor General or appointed representatives; and b) the Secretary of State or appointed representatives; free access at all reasonable times to all documents (including computerised documents and data) and other information as are connected to the grant payable under this Determination, or to the purposes for which grant was used, subject to the provisions in paragraph 3.

8.3 The documents, data and information referred to in paragraph 8.1 are such which the Secretary of State or the Comptroller and Auditor General may reasonably require for the purposes of his financial audit or any department or other public body or for carrying out examinations into the economy, efficiency and effectiveness with which any department or other public body has used its resources. The authority must provide such further explanations as are reasonably required for these purposes.

## **9 Duration of the MoU**

9.1 This MoU is in place until 31 March 2024 for the purposes of activity and 15 April 2024 for reporting.

## **10 Confidentiality**

10.1 Each party shall treat the other's confidential information as confidential and safeguard it accordingly and shall not disclose it to any other person without consent.

## 11 Resolution of disputes

11.1 If a dispute should arise in connection to this MoU or matters relating to it, the named Policy Contacts will together endeavour to resolve the issue. If they are unable to resolve the issue within a reasonable time, it will be referred by them for negotiation by senior officers in both organisations, who will intervene and direct a resolution.

## 12 Policy contacts

12.1 The Department for Education can be contacted at the following email address: [VSH.CIN@education.gov.uk](mailto:VSH.CIN@education.gov.uk) and an official will reply to all correspondence. In the event that the LA needs to urgently communicate with the Department for Education, the following officials will be the Policy Contacts for administration of this MoU.

<i>Name:</i>	<i>Email:</i>
<b>David Shreeves</b>	<a href="mailto:david.shreeves@education.gov.uk">david.shreeves@education.gov.uk</a>
<b>Matthew Biggs</b>	<a href="mailto:matthew.biggs@education.gov.uk">matthew.biggs@education.gov.uk</a>

## 13 MOU Authorisation

**Authorised to sign for and on behalf of the Secretary of State for Education:**

**Authorised to sign for and on behalf of LA:**

**Signature:**

**Signature:**

**Date:**

**Date:**

**Name in capitals:**

**Name in capitals:**

**Address:**

**Address:**

## **Annex A**

### **Financial Progress Report FY2023-24**

#### **Virtual School Head Role Extension to Children with a Social Worker**

As set out in the memorandum of understanding, section 7.2, this financial progress report enables the department to meet its grant assurance obligations.

#### **Notes for completion:**

1. The Grant Recipient shall complete this return for the Grant Period 1 April 2023 – 31 March 2024.
2. This comprises two parts:
  - a) Confirmation of Receipt.
  - b) Confirmation of Expenditure
3. Please ensure that this report is completed by the lead officer in the LA for the programme duties (oversight of the education of children with a social worker). Where this is not the Virtual School Head, please include the VSH details in the report.
4. When completing confirmation of expenditure (part b), please include both funding spent and committed spend by the end of the grant period. Expenditure may include but is not limited to any activity which enables delivery of the programme aims as described in the guidance, memorandum of understanding and grant determination letter. For example: staff wages, programme delivery costs, training, investment in data systems etc.
5. If you anticipate an underspend of the programme funding allocated for FY2023-24, please provide a brief outline of the reasons for this in the box provided.
6. The Grant Recipient shall complete and return this report to the Department no later than Friday 8 December 2023.

**a) Confirmation of Receipt – to be completed by the lead officer for the CWSW duties**

Name of local authority	
Approved Project title	Virtual School Head Extension to Children with a Social Worker
Total amount of programme funding allocated for 2023/24	

I/we confirm that the total programme funding received was exclusively used for the purposes set out in the agreement and memorandum of understanding between the Grant Recipient and the Department.

Signature	
Name	
Date	
Position	
VSH Name <i>(where not the lead officer for the new duties)</i>	
Organisation address	
Postcode	
Initialed by Chief Financial Officer/ Auditor	

**b) Confirmation of Expenditure**

Name of local authority	
Name of Approved Project	Virtual School Head Extension to Children with a Social Worker
Expenditure Type	(£)
<b>TOTAL EXPENDITURE for 2023/24 (including committed spend)</b>	
Underspend on Grant (if applicable)	

Underspend comments: