

SCHOOLS' FORUM

Day: Wednesday
Date: 19 January 2022
Time: 10.00 am
Place: Zoom Meeting

Item No.	AGENDA	Page No
1.	APOLOGIES FOR ABSENCE To receive any apologies for the meeting from Members of Schools' Forum	
2.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of Schools' Forum	
3.	MINUTES To consider the minutes of the meeting of Schools' Forum held on 28 September 2021	1 - 10
4.	DEDICATED SCHOOLS GRANT BUDGET UPDATE 2021-22 To consider the attached report of the Assistant Director, Finance and the Director, Education (Tameside and Stockport)	11 - 18
5.	SCHOOLS' FUNDING FORMULA 2022-23 To consider the attached report of the Assistant Director, Finance and the Director, Education (Tameside and Stockport)	19 - 34
6.	SCHOOL DE-DELEGATION 2022/23 To consider the attached report of the Director, Education (Tameside and Stockport), Assistant Director, Finance and Assistant Director, People and Workforce Development	35 - 48
7.	SCHOOLS' FORUM FORWARD PLAN To consider the attached report from the Assistant Director, Finance and Director, Education (Tameside and Stockport)	49 - 52

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Agenda Item 3

SCHOOLS' FORUM

28 September 2021

Commenced: 10.00am

Terminated: 12.00pm

Present:	Karen Burns (Chair)	Primary Schools – Academies
	Susan Marsh	Governor, Primary Schools – L/A Maintained
	Steve Marsland	Primary Schools – L/A Maintained
	Gemma Patterson	Primary Schools – L/A Maintained
	Kirsty Rimmer	Primary Schools – L/A Maintained
	Lisa Lockett	Primary Schools – L/A Maintained
	Lisa Gallaher	Primary Schools – L/A Maintained
	Richard O'Regan	Secondary Schools – L/A Maintained
	Heather Farrell	Primary Schools – Academies
	Simon Wright	Primary Schools – Academies
	Andrew Foord	Headteacher, Special Schools – L/A Maintained
	Simon Brereton	Primary Schools – L/A Maintained
	Elaine Sagar	Early Years Private, Voluntary and Independent Sector
	Rosario Sarno	Governor, Special Schools – Academies
	Anthony Benedict	Pupil Referral Service
	Anne Morgan	Tameside Teachers' Consultative Committee
	Elaine Horridge	Diocesan Representative
	Elizabeth Jones	Governor, Secondary Schools – L/A Maintained
	Donal Townson	Governor, Primary Schools – L/A Maintained
	Gill McFadden	Business Manager – Secondary Academies
	Anton McGrath	14-19 Sector
	Councillor Leanne Feeley	Executive Member
	Tim Bowman	Director, Education Tameside and Stockport
	Charlotte Finch	Head of SEND
	Louisa Siddall	Senior Accountant, TMBC
	Wendy Lees	Finance Manager
Apologies for absence:	David Ainsworth	Special Schools – L/A Maintained
	Mark Bidgood	Primary Schools – Academies
	Councillor Oliver Ryan	Executive Member
	Christine Mullins	Finance Business Partner TMBC

9 DECLARATIONS OF INTEREST

There were no declarations of interest from Members of Forum.

10 APPOINTMENT OF CHAIR AND DEPUTY CHAIR

RESOLVED

That Karen Burns be appointed as Chair and Susan Marsh be appointed as Deputy Chair of the Schools' Forum for the 2021/22 Academic Year.

11 MINUTES

Consideration was given to the minutes of the meeting of the School's Forum, held on 22 June 2021.

It was noted that Minute 5 (page 4 and page 5) referred to surplus balances for 2021-22. This should have stated 2020-21.

RESOLVED

That, with the agreed amendment, the minutes of the meeting of Schools' Forum held on 22 June 2021 be approved as a correct record.

12 SCHOOLS FORUM TERMS OF REFERENCE, PRINCIPLES AND CONSTITUTION

Consideration was given to a report of the Director of Governance and Pensions, giving details of the Terms of Reference for Schools' Forum, which included the guiding principles and constitution of the Forum. The Terms of Reference had been established to provide an overview of the purpose and functions of the Schools Forum with guiding principles covering the expectations of all Schools Forum members in relation to their role as a member, to ensure the consultation and decision making was effective and fair

The documents reflected the Department for Education guidance for Schools' Forum published in September 2018 and updated in March 2021.

In considering the report, members noted that were currently 3 vacancies within Schools' Forum, for this academic year, which included:

- 1 Maintained Primary School representative
- 1 Academy Primary School representative
- 1 non-school member (Roman Catholic Diocese)

Members undertook to raise the matter at suitable forums and groups and agreed to feedback through the Clerk and Chair of Schools Forum in advance of the next meeting.

RESOLVED

- (i) That the Terms of Reference, Forum Principles, Constitution and membership of Schools Forum be noted and approved for publication on the Council's website.**
- (ii) That current vacancies within Schools Forum membership be raised at suitable forums and groups, as appropriate.**

13 SCHOOL BALANCES

Consideration was given to a report of the Assistant Director of Finance and Director of Education (Tameside and Stockport), which provided an update on the surplus balances held by schools at the end of 2020-21 financial year.

Following the previous meeting of Schools' Forum, Members were reminded that there were currently 12 schools, which were identified as having excess surplus balances at risk of claw back. As Members had requested a further detailed review of any exceptional circumstances prior to taking any decision, this was provided.

It was noted that 6 of the 12 schools were holding capital balances due to delays, which equated to £406,078. The remaining 6 schools held smaller balances, as a result of underspends due to the pandemic, which accrued to £46,423. It was explained that each of these schools had submitted a return, which had then been reviewed. It was found that the reasons for these underspends, were generally relating to:

- Underspends on catering contracts
- Residential trips
- Interventions
- Reduced extra-curricular activities
- Unspent teaching materials

Members were reminded that, as previously agreed, a Capital Reserve can be set up by the Local Authority, which would allow schools to transfer balances being used to support specific capital projects prior to their completion.

As 2 of the 12 schools identified were holding surplus balances for both capital and general underspend, there were 8 schools holding balances for capital purposes. Therefore, it was recommended that School's Forum request these balances be moved to a Capital Reserve, rather than be removed for clawback and a detailed breakdown of the recommended amounts for transfer was provided in Table 2.

Members noted that all schools had received in-year, additional funding from Government, which may have impacted on them having unanticipated increased balances, for example, Covid Catch-Up Premium. It was also explained that, for most schools, this had been received in advance of need. As a result, it was recommended that this be removed from the balances prior to clawback decisions. Members were, therefore, informed that this would remove £30,104 of the balances of 4 schools from being at risk of clawback, with 2 schools remaining at risk, totalling £16,319.

Members were informed that there had been further developments with regard to term-time only payback for staff under the NJC terms and conditions in Tameside. It was noted that a report was currently going through the Council's governance process, which would result in all affected schools needing to incur additional, on-going salary costs and back-pay. This was something, which it was felt Members may want to take into consideration when making their decisions relating to the clawback mechanism.

Members were also made aware that, following submission of the approved budget plans in May 2021, 12 schools (7 primary, 3 secondary schools and 2 special schools) submitted plans with surplus balances above the sector thresholds for the financial year 2021-22. These schools had also submitted an approved Utilisation of School Balances form identifying reasons for holding the surplus and the finance team would continue to monitor schools' balances.

It was stated that a further update would be brought to Forum once school balances for 2021-22 were finalised, when Forum Members would be asked to review any action in line with the Balance Mechanism Scheme regarding invoking the claw back on 2021-22.

Following the presentation of this report, detailed discussion ensued. Some Members explained that, whilst they fully supported the notion of clawback and understood the necessity for this, they expressed concern with regard to implementing these measures during what continued to be an uncertain and unprecedented time for schools. Whilst it was acknowledged that there would be a continued need for this mechanism to be in place and the Capital Reserve to be utilised, many Members felt that now was not an appropriate time to invoke these measures.

RESOLVED

- (i) That the position of Schools Balances 2021-22 be noted.**
- (ii) That Schools' Forum reject schools with excess balances in 2020-21, holding them for capital purposes, being required to move these funds to a capital reserve.**
- (iii) That clawback of surplus balances in 2020-21 subject to any mitigating factors outlined in the report be rejected.**

14 SCHOOLS' FINANCIAL VALUES STANDARD RETURNS

Consideration was given to a report of the Assistant Director of Finance, which provided an update on the requirement for schools to complete the self-assessment process against the Schools' Financial Value Standard by 31 March 2021.

It was explained that this this return needed to be submitted on an annual basis. For the last financial year, schools submitted this to the Local Authority by 31 May 2021. This had been reviewed and a

return submitted to the DfE by 9 July 2021. Members of Forum were informed that there had been 100% compliance from schools.

RESOLVED

That the contents of the report be noted

15 SCHOOLS FUNDING UPDATE ON NFF AND SUMMER ANNOUNCEMENTS FROM DFE

Consideration was given to a report of the Assistant Director of Finance and the Director of Education (Tameside and Stockport), which provided members with an update on the latest funding announcements.

Members were made aware that The DSG announcements at this stage only covered the Schools Block, High Needs Block and the Central Service Support Block. Early Years Block information had not be shared at this point. However, it was explained that updates on this and confirmation of all other allocations were expected in December 2021. It was noted that the data stated in this report was based on the 2021-22 data set (October 2020 census data) and would change in order to take account of October 2021 census returns.

With regard to Schools Block, it was explained that there had been an increase of £40.146m, which represented an increase of 4% at a national level. This had resulted in a £5.573m increase in 2022-23 provisional allocation, excluding growth funding and Members were presented with a detailed breakdown of the funding elements.

Key areas of change were highlighted, including the Sparsity Factor. Members were informed that NFF rates had been significantly increased by DfE on the Sparsity Factor for a 2nd year, which had resulted in an increase from £45k to £55k per primary school, and from £75k to £80k in secondary schools. However, as this was payable to schools, which were both small and remote, although the distance measurements had changed so that this would reach a wider number of schools, there would still be no Tameside schools, which would benefit from this as they did not meet the criteria.

Members were informed that there had been changes to the rates at which IDACI bandings were paid and that, in most cases, these had increased by at least 3%.

With regard to Prior Attainment and Mobility Factors, 2019 attainment data would continue to be used as a proxy for allocated this funding. Similarly, it was stated that Mobility Factor was using a proxy for May 2020 and that the census did not take place. Instead, it was explained that the child's start date in school, would be used.

It was highlighted that the measurement point for Free School Meals Ever6 had changed. This had been brought forward from the January census to the October census to reduce lag and had been brought in line with the measurement point for other factors. It was stated that the related increase in this factor was 2%.

It was noted that, following consultation, Business Rates funding would no longer be allocated to the Local Authority or Academy Trusts for them to pay the Council but that these costs would be paid directly by DfE to each Local Authority on behalf of all schools and academies in the area.

It was explained that Minimum Funding Guarantee (MFG) would continue to be set by Local Authorities using local formulae between +0.5% and +2% per pupil and that there would be continuation of the compulsory Minimum Per Pupil Funding Levels (MPPL). This would mean that all primary schools would receive at least £4,265 per pupil and all secondary schools £5,525 per pupil.

Members were made aware that the DfE were taking steps towards a 'hard' National Funding Formula (NFF) and a consultation for Local Authorities, schools, academy trusts and any other

interested parties had been launched in July. Members were provided with the link to access the consultation and advised that the closing date was 30 September 2021.

In relation to the High Needs Budget, Members were informed that there had been a 9.6% national increase (£780m) and that Local Authorities had seen an increase of between 8% minimum and 11% (capped and before recoupment, Alternative Provision and Hospital Funding Factors were included). It was noted that Tameside had received the maximum increase of 11% (capped). However, without this cap, Members were advised that this would have included an additional £2.988m.

In addition, it was noted that Tameside's Historic Factor had changed from £8.6m to £8.8m. However, due to the cap, the full benefit of this increase would not be received. It was highlighted that these current announcements were provisional and would be subject to further updates, which were outlined for Members of the Forum.

The provisional allocation for 2022-23 was provided compared to the current 2021-22 allocation. This highlighted an overall increase of £3.072m (before recoupment and any further adjustments). Members were also asked to note that an estimate for growth in pupil numbers was built in at £0.101m, which would be finalised and confirmed in December 2021 but was likely to be offset by an estimated increase in recoupment.

Members were advised that, although Tameside was seeing an increase in funding of £3.062m (after recoupment), this was offset by an estimated increase in spend of £5.375m. This was reflective of the continuing expected increases and further growth of Education Health Care Plans (EHCPs), which was likely to increase steadily from 3.58% to over 6% in the next 5 years.

Members were reminded of the significant impact of the capped Funding Formula allocation on the High Needs Deficit position and it was explained that Tameside would continue to receive this capped funding for 2022-23, with a further cap of £2.988m forecast.

It was explained that Local Authorities would continue to be able to transfer up to 0.50% of Schools Block allocation to another block within the DSG, with the approval of Schools' Forum. Members were also reminded that a disapplication process to the DfE would continue to be in place for any amounts over 0.50% or for any amount without the approval of Schools' Forum.

Based on current projections, Members were made aware that, even continuing with the 0.50% transfer (as in 2021-22) of £0.939m, this would still leave a potential in-year deficit on the High Needs Block of £4.644m in 2022-23 and a 1.00% transfer would leave an in-year deficit of £3.705m and potential cumulative deficit over the 2 years of £6.098m. With this in mind, Members were asked to support the 0.50% transfer to the high needs Block to support spending for additional needs and were further asked to consider whether a request to DfE should be made in requesting a top slice to 1% with permission from the Secretary of State.

With regard to the Central Services Schools Block (CSSB), it was stated that funding had increased by 5.6% (£62k). However, without the cap on this funding, Tameside would receive an additional £145k.

Discussion ensued in relation to the value that comes from transferring this funding. It was highlighted by the Director, Education (Tameside and Stockport), that this transfer would allow schools to collectively ensure that investment in the most vulnerable children, who attend school, would be maximised. It was stated that this would provide investment for this year and help to manage the deficit for future years in order that the deficit position reduces over time. However, the financial impact of Covid in schools was highlighted by Members.

RESOLVED

(i) That the contents of the report be noted.

(ii) That it be agreed, in principle, for 0.50% to be transferred from the Schools Block to the

High Neds Block in 2022-23 (at a minimum).

- (iii) That it be rejected to support a disapplication request, in principle, to the Secretary of State in order to transfer 1.00% from the Schools Block to the High Needs Block (if required).**

16 DSG SCHOOLS GRANT BUDGET UPDATE

Consideration was given to a report of the Assistant Director of Finance and the Director of Education (Tameside and Stockport), which outlined the Schools Grant budget position for the financial year 2021-22 and the DSG reserve position.

Members were provided with a budget update for 2021-22, including the projected distribution/spend for the DSG settlement. It was stated that there was an overall deficit of £1.439m and explained that the forecast surplus of £0.168m on the Schools Block related to actual rates charges being lower than estimated (0.049m) and unallocated growth (£0.118m). Members were also informed that the Central Schools services Block (CSSB) was expected to be spent in full.

Members were made aware that the projected in-year deficit on the High Needs Block was expected to be £3.271m, which would reduce to £2.393m with the £0.878m transfer from the Schools Block. Included in this figure was a further £0.994m of estimated in-year growth for September to March 2022.

It was estimated that the Early Years Block would have a surplus of £0.787m, and Members reminded funding would be based on data collections in summer 2021, autumn 2021 and spring 2022 terms. It was noted that this would be different to previous years, when the funding had been based on spring census data only.

With regard to the High Needs position for 2021-22, a breakdown of the £2.393m deficit (an increase of £1.256m) was provided and the impact of the growing number of EHCPs was again highlighted. As a result, members were informed that some additional work had been undertaken alongside the SEND team and the initial projections of 207 new EHCPs had now been revised to 407 new plans, which were expected for the full financial year.

A detailed update of the Early Years Block for 2021-22 was provided for Members. These were based on the actual payments made to providers for the summer term and estimated uptake for the autumn and spring terms for 2, 3 and 4 year olds. It was noted that the current forecast indicated an underspend of £0.918m for 3 & 4 year olds, an overspend of £0.05m for 2 year olds and an overspend £0.03m on early years pupil premium. However, this was based on the current settlement and as previously reported, it was expected that funding would be adjusted in line with the data collections from the summer term and future collections at autumn and spring. It was, therefore, envisaged that the position would become more balanced and there will not be an underspend.

Members were informed that that current forecast for the SEND Inclusion Fund (SENIF) was illustrative of the increasing demand on this fund. It was stated that this was being reviewed through the Early Years Working Group, where further work was being undertaken to understand the demand to ensure that funding support was being provided in the best way. It was acknowledged that it was extremely difficult to forecast the uptake of places, especially in light of the pandemic and that this was a complex area of funding which would continue to be closely monitored.

Details on the closing position of the DSG were provided for members, who were informed that, if the 2021-22 projections materialised, there would be a deficit of £3.124m on the DSG. With this in mind, it was stated that a Deficit Recovery Plan had been developed and submitted to the DfE and that discussions with DfE were ongoing. It was noted that this position would be closely monitored throughout the year and that regular updates would be provided for Schools' Forum.

RESOLVED

That the contents of the report be noted and supported

17 HIGH NEEDS DEFICIT RECOVERY PLAN

Consideration was given to a report Director of Education (Tameside and Stockport), which outlined the High Needs Deficit Recovery position for the financial year 2021-22. The report also provided Members with a revised view on expected growth across SEND in Tameside, plans in place to address this and additional development proposals.

Member's attention was drawn to the growth in Education Health Care Plans (EHCPs) in Tameside over the next 10 years. It was highlighted that the number of EHCPs had been rising steadily since 2017 and had now more than doubled, with 1960 EHCPs currently maintained. As a result, it was explained that Tameside is now more in line with its statistical neighbours, with EHCPs representing approximately 3.64% of the population.

Whilst it was acknowledged that this recent growth was necessary, the significant demands this had placed on specialist providers and resource bases across Tameside was highlighted. It was explained that this had placed increased pressure on placements for children with EHCPs, particularly across the specialist sector, where all schools and resource bases were currently oversubscribed.

Members were made aware that recently acquired data demonstrated the ongoing imperative to create additional SEND provision within Tameside in order to be able to effectively accommodate those most vulnerable learner in line with future growth. It was stated that a previous over-reliance on out of borough provision had undoubtedly contributed to budget pressures and, therefore, there needed to be a more strategic approach taken to planning provision, which was driven by need, investing capital funding towards the creation of more local places.

It was acknowledged that any changes to an established pattern of provision would be a long term process, given the importance of continuity for children and young people. It was also emphasised that parents would be a key partner in these changes, along with schools' Forum, who would be continually consulted and engaged throughout these developments.

The comprehensive SEND Sufficiency Strategy 2021-2031 was provided for Members. It was outlined that this built on key pieces of work, such as the SEND Forward plan 2019-22, which had been implemented over the past 3 years. Members were also made aware that this had been written with the benefit of newly acquired data and intelligence, which had been commissioned through Edge Analytics.

Anticipated key areas of growth were outlined for Members of the Forum, including:

- 1089 new EHCP places projected over a 10-year period
- 2021-22 and 2022-23 projected to be the largest 2 years of growth with 179 (21-22) and 181 (22-23) places projected. Growth figures then decrease year on year.
- EHCP places for pupils in years 12-14 projected to more than double in 10 years
- Years 7-11 projected to nearly double in 10 years across both specialist and mainstream sectors
- Years R-6 projected to increase by 29% in 10 years

Members were informed that these projections had been provided by Edge Analytics. However, they were lower than the growth seen in real time. Whilst this discrepancy was unclear, it was acknowledged that the currently elevated growth may be attributable to Covid factors.

It was stated that the main area of growth was in secondary school pupils, where numbers were projected to increase by 82% over the 10 year period, with numbers in mainstream schools more than doubling. Whilst this growth was clearly significant, it was also acknowledged that this

represented some necessary recalibration of EHCPs across the sectors.

Members were made aware that EHCPs within specialist settings in Tameside represented 44% of the population, as opposed to 36% nationally. It was noted that this statistic set Tameside apart from national, GM and statistical neighbours, where the majority of EHCP students were educated within mainstream settings. It was outlined that historic under-assessment in Tameside had contributed to uneven distribution across sectors. However, the data going forwards indicated that, as EHCP % representation comes into line with statistical neighbours, so too should the distribution of EHCPs across sectors.

It was highlighted that, across the specialist sector, whilst not in line with mainstream, there was 60% growth in years R-14 projected. Growth amongst primary age children was predicted to be 29%, and growth between Y12-14 would increase by 127%.

It was noted that the fastest growing areas of need within SEND were in relation to Social, Emotional and mental Health Needs (SEMH), where growth of 138.9% was anticipated across all age ranges. With this in mind, it was projected that growth in EHCPs numbers in relation to SEMH in mainstream settings would rise by 130%. Similarly, this was expected to rise by 130% in specialist settings. This growth in both mainstream and specialist settings was projected to be particularly high in Years 7-14 with 220% growth expected for mainstream and 156% for specialist provision.

Communication Interaction difficulties were highlighted as the next largest area of growth, which was anticipated to be 70.7% across all ages in mainstream settings and 54.6% across specialist provision. Again, this growth was projected to be significantly higher across Years 7-14.

Members were informed that the in-year deficit had increased from £1.137m to £2.393m, an increase of £1.256m as a result of an increase in the numbers of EHCP's, which were significantly beyond anticipated growth levels.

Members were made aware that this growth in EHCP numbers represented a significant financial risk to the Local Authority with over reliance on out of borough provision being noted as a factor contributing to current budget pressures. With this in mind, the need for more local specialist provision in Tameside was again highlighted. Members attention was again drawn to the SEND Sufficiency Strategy, which contained a range of proposals to suggest ways in which these needs could be met in order to mitigate the risk of out of borough placement. The following strategies and actions were outlined for members:

- An escalation of the resource base development programme. This aims to add an additional 8 resource bases across both primary and secondary over the next two years, adding approximately 80 additional specialist places. In order to meet the anticipated demand, it may be deemed necessary to aim instead for an additional 12 resource bases over the next 3 years, with a plan to develop additional post 16 resource base provision, to accommodate up to 30 specialist learners (adding 150 specialist places).
- Continue with the move to a new Hawthorns building creating a 220 place school (effectively an additional 50 specialist primary places for children with CI needs).
- Consider options, which would retain the original Hawthorns building as an additional specialist setting for primary-aged learners.
- Work with Thomas Ashton School to consider its role in supporting the increasing numbers of learners with SEMH difficulties.
- Explore options for the development of a Specialist Free School.
- Working in partnership with schools, invest and develop support to mainstream settings to promote ongoing inclusion of their SEND students.

Concern had been raised in relation to the projected figures for growth, particularly as it had been noted in previous meetings that growth had seen a period of slowing down. However, it was stated that these projections were a true reflection of the current situation and may actually be a more conservative estimate than may be the case.

A question was asked in relation to projected early years (pre-Reception) numbers. However, it was

explained that the data, which had been provided by Edge Analytics related to children from Reception age only. It was acknowledged that there were limitations to the current data and this was highlighted as one of the limitations. However, it was suggested that this would be something, which could be picked up in Early Years Working Groups' discussions.

Discussion ensued with regard to the movement of children with EHCPs from mainstream to specialist provision and the need to ensure that those children with EHCPs, whose needs could be effectively met in mainstream settings, continue to access mainstream provision, where appropriate. It was also noted that the move to specialist provision should be continually monitored and that, if these needs, over time, could be managed in a mainstream setting, then these children could transfer back into mainstream provision, where appropriate.

In response to the discussion, it was acknowledged that children's circumstances and needs could change over time. It was also stated that it would only be the most complex needs, which required enhanced support, who would be considered for resource base provision or specialist settings and the strength of the resource base model in meeting the needs of these children was highlighted as providing valuable opportunities for integration.

The rapid growth in SEMH needs was discussed and the need to work in partnership with schools with regard to trying to keep children in these settings, where appropriate. However, the need for greater staff development and appropriate resources was highlighted, in order to be able to effectively meet the needs of these children and young people within mainstream settings. With this in mind, the need to ensure that schools would be well prepared in order to be able to accommodate this growth was emphasised.

RESOLVED

That the contents of the report be noted and supported

18 DATE OF NEXT MEETING

RESOLVED

That the next meeting of The Schools Forum be held on Tuesday 23 November 2021 at 10am.

CHAIR

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Agenda Item 4

Report to:	SCHOOLS' FORUM
Date:	19 January 2022
Reporting Officer:	Caroline Barlow – Assistant Director, Finance Tim Bowman – Director, Education (Tameside and Stockport)
Subject:	DEDICATED SCHOOLS GRANT BUDGET UPDATE 2021-22
Report Summary:	A report on the Dedicated Schools Grant budget position for the financial year 2021-22 and update on the Early Years final outturn for 2020-21.
Recommendations:	Members of the Schools' Forum are requested to note and support the contents of the report.
Corporate Plan:	Education finances significantly support the Starting Well agenda to provide the very best start in life where children are ready to learn and encouraged to thrive and develop, and supporting aspiration and hope through learning and moving with confidence from childhood to adulthood.
Policy Implications:	In line with financial policy and framework
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	<p>The Dedicated Schools Grant is a ring fenced grant solely for the purposes of schools and pupil related expenditure.</p> <p>The current projection for 2021-22 is expected to be a deficit on the DSG of £3.712m at the end of the financial year.</p> <p>The report details the in year movements and forecasts on the 4 main blocks of the DSG, with the High Needs Block continuing to be under pressure with a forecast in year shortfall of funding of £2.301m, offset by underspends of £0.091m on the Early Years block and £0.178m on the Schools Block.</p> <p>A deficit recovery plan has been developed and work continues to resolve the deficit position</p>
Legal Implications: (Authorised by the Borough Solicitor)	<p>The Council has a statutory duty to use resources efficiently and effectively against priorities and to achieve a balanced annual budget.</p> <p>In noting the report, Forum Members should ensure they understand the outturn especially in light of the deficit position and that they ensure that the forum is used as an opportunity to challenge robustly the reporting mechanism.</p>
Risk Management:	<p>The correct accounting treatment of the Dedicated Schools Grant is a condition of the grant and procedures exist in budget monitoring and the closure of accounts to ensure that this is achieved.</p> <p>The Council is responsible for the effective administration and management of the DSG. The deficit brought forward from 2019-20 and the increase in the size of the deficit at the end of 2020-21 is subject to a deficit recovery plan with the DfE. There is a risk that this may impact on the effective support and education of our most vulnerable children.</p>

Access to Information: This report does not contain information which warrants its consideration in the absence of the press or members of the public.

Background Information: The background papers relating to this report can be inspected by contacting Christine Mullins – Finance Business Partner, Financial Management, Children’s and Safeguarding Services

 Telephone: 0161 342 3216

 e-mail: christine.mullins@tameside.gov.uk

1. INTRODUCTION

- 1.1 This report is presented to provide Schools' Forum with an update on the Dedicated Schools Grant (DSG) budget for 2021-22 and the DSG reserve position. The report sets out:
- A budget update for the DSG for 2021-22 (Section 2)
 - A detailed update for High Needs for 2021-22 (Section 3)
 - A detailed update for Early Years (Section 4)
 - The DSG reserve position at 31 March 2021 and the estimated DSG reserve position at 31 March 2022 (Section 5)

2. DSG BUDGET UPDATE FOR 2021-22

- 2.1 The current DSG settlement for 2021-22 and projected distribution/spend is included in Table 1.

TABLE 1 – DSG Forecast for 2021-22

DSG Funding Blocks	DSG Settlement 2021-22 at Nov 2021* £000	Block Transfer 2021-22 £000	Revised DSG 2021-22 £000	Forecast Distribution / Spend 2021-22 £000	Forecast Surplus / (Deficit) £000
Schools Block	183,081	(878)	182,203	182,025	178
Central School Services Block	1,114	0	1,114	1,114	0
High Needs Block	28,196	878	29,073	31,375	(2,301)
Early Years Block	16,798	0	16,798	16,707	91
Total	229,188	0	229,188	231,220	(2,032)

Note: the above table includes roundings

* The Early Years DSG settlement figure has been adjusted for the estimated grant clawback, which is discussed in more detail in Section 4 of the report and the High Needs Settlement is before academy recoupment

- 2.2 The forecast surplus of £0.178m on the schools block relates to actual rates charges being lower than estimated (£0.049m) and unallocated growth (£0.129m). As agreed with Schools Forum in January 2021, the unallocated growth should support the deficit on the DSG. The growth allocation is based on pupil numbers at the October 2021 census point and the figures have been updated to reflect this. Any surplus on the schools block is proposed to contribute to the DSG reserve deficit.
- 2.3 The central schools service block is expected to be spent in full.
- 2.4 The projected in-year deficit on the high needs block is expected to be £3.179m, which reduces to £2.301m with the £0.878m transfer from the schools block. Included in this figure is a further £0.384m of estimated in-year growth for January to March 2022. Further information on this can be found in Section 3.
- 2.5 It is currently estimated the early years block will have a surplus of £0.091m. Further information on the early year's position can be found in Section 4.

3. HIGH NEEDS BUDGET UPDATE 2021-22

- 3.1 The high needs budget has now been updated following the autumn term real time exercise and the impact on the budget forecast is shown in table 2 below.

TABLE 2 – High Needs Budget Position at December 2021:

High Needs Budget Position 2021-22	2021-22 Original Forecast £000	2021-22 Forecast Budget Summer Term £000	2021-22 Forecast Budget Autumn Term £000	2021-22 Variance £000	% Change
Mainstream	3,015	3,452	3,639	(624)	21%
Special	12,554	12,733	12,955	(401)	3%
TRPS	2,702	2,726	2,732	(30)	1%
Resourced Units	155	424	487	(332)	214%
Independent Schools	2,374	2,749	2,868	(494)	21%
PVI Settings	49	78	115	(66)	135%
NMSS	452	452	463	(11)	2%
OOB (Pre 16)	1,132	1,326	1,456	(324)	29%
Post 16	3,103	3,217	3,070	33	-1%
Hospital Education	88	88	88	0	0%
SEN Support Services	1,865	1,741	1,741	124	-7%
Income OOB	(403)	(367)	(476)	73	18%
Total Spend	27,086	28,619	29,137	(2,052)	8%
Original Funding	28,277	28,277	28,277	0	
Academy Recoupment	(1,854)	(1,854)	(1,854)	0	
Adjusted Import / Export	0	(81)	(81)	81	
Total Funding	26,423	26,342	26,342	81	
In Year Deficit Before Growth	(663)	(2,277)	(2,795)	2,133	
Projected in Year Growth:					
Summer Term Real Time	662	0	0		
Autumn Term Real Time	472	568	0		
Spring Term Real Time	218	426	384		
Total Growth	1,352	994	384		
0.5% transfer Schools Block	878	878	878		
High Needs Block In Year 2021-22 Deficit	(1,137)	(2,393)	(2,301)		

- 3.2 The in year deficit has increased from £1.137m to £2.301m, an increase of £1.164m and this, as reported at the last forum meeting is as a result and in-line with the expected growth in the numbers of EHCP's and further anticipated growth to the end of the financial year.
- 3.3 Growth in EHCP's has continued at expected levels as table 3 below shows, although the distribution of growth has varied across sectors. The table shows growth in the special, Out of Borough placements and Post 16 has already outstripped total expected growth for the year, whilst there is still growth provision within the mainstream and Independent Sector. Growth will continue to be monitored closely.

TABLE 3 - Expected Growth of New EHCP's in year

Sector	Forecast April 21	Expected Growth In Year	Expected Plans at Year End	Actual Growth at Autumn 21	Remaining Growth Provision
Mainstream	575	249	824	651	173
Special	676	52	728	756	-28
Resourced Units	57	40	97	80	17
Independent Schools	72	36	108	67	41
PVI Settings	23		23	16	7
NMSS	9		9	10	-1
OOB (Pre 16)	108		108	142	-34
Post 16	209	30	239	253	-14
Totals	1,729	407	2,136	1,975	161

4. EARLY YEARS UPDATE FOR 2021-22 AND FINAL SETTLEMENT FOR 2020-21

- 4.1 Details of the final early years' settlement for 2020-21 are included in Table 4. For 2020-21 the overall settlement for early years has decreased by £0.287m. As reported in June 2021, it was estimated there would be a reduction of £0.293m in the final settlement. This has resulted in a surplus of £0.397m rather than the estimated £0.392m. The additional surplus will be required to support the wider DSG deficit. The variation against the actual settlement relates to additional funding received for Early Years Pupil Premium.

TABLE 4 – Early Years Outturn 2020-21 Final Position

Early Years Funding Block	Actual Distribution / Spend 2020-21 £000	Estimated Outturn Surplus / (Deficit) £000	Final Settlement for 2020-21 £000	Final Outturn Surplus / (Deficit) £000
3 and 4 Year Olds Universal Entitlement	8,465	452	8,917	452
3 and 4 Year Olds Extended Entitlement	3,800	377	4,177	377
Autumn 2020 Term Adjustment 3 & 4 Year Olds	546	(546)	0	(546)
2 Year Olds	2,538	169	2,707	169
Autumn 2020 Term Adjustment 2 Year Olds	169	(169)	0	(169)
EY Pupil Premium	163	(27)	141	(21)
Disability Access Fund	36	33	69	33
Central Retention	632	147	779	147
SEN Inclusion Fund	211	(26)	185	(26)
Variation to EY's Block 2019-20 Adjustment	0	(18)	(18)	(18)
Total	16,559	392	16,956	397

Note: the table above includes roundings

- 4.2 A detailed update of the early years block for 2021-22 is included in Table 5.

TABLE 5 – Early Years Forecast 2021-22

Early Years Funding Block	Early Years DSG Settlement 2021-22 at November 2021 £000	Forecast Distribution / Spend 2021-22 £000	Forecast Outturn Surplus / (Deficit) £000
3 and 4 Year Olds Universal Entitlement	9,117	8,646	472
3 and 4 Year Olds Extended Entitlement	4,335	3,888	446
2 Year Olds	2,820	2,870	(50)
EY Pupil Premium	136	166	(30)
Disability Access Fund	73	34	39
Central Retention	780	706	75
SEN Inclusion Fund	232	397	(165)
Estimated Grant Clawback	(696)		(696)
Total	16,798	16,707	91

Note: the table above includes roundings

- 4.3 Table 5 reflects the current settlement compared with the forecast distribution / spend. The projections are based on the actual payments made to providers for the summer and autumn terms and estimated uptake for the spring term for 2, 3 and 4 year olds.
- 4.4 As previously reported, we are expecting the early years funding to be adjusted in line with the data collections from the summer and autumn term and future collection at spring. Table 5 includes an estimated clawback of the early years funding of (£0.696m). Participation is reducing which is why there appears to be surpluses specifically against 3 and 4 year olds but these will be offset by the estimated clawback. This is partly due to the birth rate reducing but take up of places is also dropping. Historically Tameside has seen a high level of take up at approx. 98% but more recently, this is closer to 93%.
- 4.5 The forecast deficit on the SEN Inclusion Fund (SENIF) has increased significantly from an estimated deficit of (£0.089m) to an updated estimate of (£0.165m). The SENIF continues to be reviewed through the Early Years Working Group, which includes further work to understand the demand, and funding allocated to ensure funding support is being provided in the best way. This forecast deficit may be partly offset by the forecast underspend on the disability access fund. However, there is likely to be a pressure on the SENIF and overall early years funding as the allocation to the LA is adjusted.
- 4.6 It is anticipated there will be an underspend on the centrally retained element of the early years funding in 2021-22. This will be required to support the deficit on the SENIF.
- 4.7 As stated in prior reports, it is extremely difficult to forecast the uptake of places, especially in light of the pandemic. This is a complex area of funding which continues to be closely monitored.
- 5. DSG RESERVE AS AT 31 MARCH 2021 AND ESTIMATED POSITION AT 31 MARCH 2022**
- 5.1 Table 6 provides details on the closing position of the DSG reserve for 2020-21 and the estimated position of the DSG at 31 March 2022.

TABLE 6 – DSG Reserve

	2020-21 Surplus / (Deficit) £000	2021-22 Forecast Surplus / (Deficit) £000
DSG Reserve Brought Forward	(557)	(1,686)
Schools Block Changes		
In year surplus on business rates	51	49
In year surplus on growth fund	244	128
Schools Block Subtotal	296	178
In year deficit on Central Schools Services Block	6	0
In year deficit on High Needs Block	(1,822)	(2,301)
In year surplus on Early Years	703	91
Variation to Early Years Block 2019-20 Adjustment	(18)	0
Estimated Early Years 2020-21 Adjustment & final adjustment as confirmed in November 2021	(293)	6
DSG Reserve after Commitments	(1,686)	(3,712)

Note: the table above includes roundings

- 5.2 If the 2021-22 projections materialise there would be a deficit of £3.712m on the DSG. A deficit recovery plan has been developed and submitted to the DfE. Discussions have been held with the DfE and are ongoing. The position will be closely monitored throughout the year and updates will be reported to Schools' Forum

6. RECOMMENDATIONS

- 6.1 As set out at the front of the report.

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Agenda Item 5

Report to:	SCHOOLS' FORUM
Date:	19 January 2022
Reporting Officer:	Tim Bowman – Director, Education (Tameside and Stockport) Caroline Barlow – Assistant Director, Finance
Subject:	DEDICATED SCHOOLS GRANT (DSG) FUNDING FORMULA 2022-23
Report Summary:	A report on the arrangements concerning the DSG funding for 2022-23.
Recommendations:	Schools' Forum are RECOMMENDED to: <ol style="list-style-type: none">1. Approve the funding formula for mainstream schools as set out in Section 3.2. Approve the growth fund as outlined in Section 3.3. Approve the 0.5% transfer from the Schools Block to High Needs Block further to the outcome of consultation.4. Support schools' continued contribution to Tameside Safeguarding Children's Partnership.5. Approve the allocation of the Central Services Schools Block.6. Approve the central retention of Early Years Funding.
Corporate Plan:	Education finances significantly support the Starting Well agenda to provide the very best start in life where children are ready to learn and encouraged to thrive and develop, and supports Aspiration and Hope through learning and moving with confidence from childhood to adulthood.
Policy Implications:	In line with financial and policy framework
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	<p>The Dedicated Schools Grant is a ring fenced grant solely for the purposes of schools and pupil related expenditure.</p> <p>This report sets out the proposed allocation basis for all Tameside schools for 2022-23.</p> <p>The allocation of the High Needs element of this grant is insufficient to meet current spending or growth in number of pupils requiring support.</p> <p>The Schools Forum and the Council must continue to look for savings to address the growing High Needs deficit and continue to update DfE with progress against the DSG deficit recovery plan.</p>
Legal Implications: (Authorised by the Borough Solicitor)	<p>The legal framework for school budgets is based on legislative provisions contained in sections 45-53 of the School Standards and Framework Act 1998 and accompanying regulations. The School and Early Years Finance (England) Regulations 2014 provide the framework for the funding of maintained schools including how the local authority may allocate their schools budget.</p> <p>The School and Early Years Finance Regulations 2014 gave effect to the decision to reform school funding through a simplified local formula with greater delegation to schools and new arrangements</p>

for funding pupils with high needs. In addition, the School and Early Years Finance (England) (No. 2) Regulations set out the requirements for determining the 2022/2023 financial year.

The Department for Education and Skills Funding Agency has also issued Operational Guidance for local authorities relating to school and early years budget setting for the 2022/23 financial year to support Council's compliance with the Regulations.

Risk Management:

The correct accounting treatment of the Dedicated Schools Grant is a condition of the grant and procedures exist in budget monitoring and the closure of accounts to ensure that this is achieved. These will be subject to regular review.

There is insufficient funding allocated to the borough to meet the cost of Education in borough.

Access to Information:

NON-CONFIDENTIAL

This report does not contain information, which warrants its consideration in the absence of the Press or members of the public.

Background Information:

The background papers relating to this report can be inspected by contacting Christine Mullins – Finance Business Partner, Financial Management, Children's and Safeguarding Services



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e-mail: christine.mullins@tameside.gov.uk

1. INTRODUCTION

- 1.1 This report sets out information on the allocation of the Dedicated Schools Grant (DSG) for 2022-23 and details of the supplementary grant provided to address increased costs to schools.
- 1.2 Section 2 is a summary of the DSG settlement from the DfE/ESFA.
- 1.3 Section 3 provides details of the Schools Block and the proposed funding formula for Mainstream Schools in Tameside in 2022-23.
- 1.4 Section 4 provides details of the outcome of consultation.
- 1.5 Section 5 provides details of the High Needs Block.
- 1.6 Section 6 provides details of the Early Years Block.
- 1.7 Section 7 provides details of the Central School Services Block (CSSB).

2. PROVISIONAL DSG SETTLEMENT FOR 2022-23

- 2.1 The provisional DSG settlement for 2022-23 of £240.507m was received on 16 December 2021, with accompanying essential data released on 20 December 2021. All DSG funding must be deployed to schools and / or pupils in accordance with the School and Early Years Finance (England) Regulations 2022.
- 2.2 In addition to the DSG, supplementary funding for 2022-23 has been allocated totalling mainstream schools totalling £5.605m. The additional funding in the primary and secondary sector is to cover both the Health and Social Care Levy and other cost pressures and £1.300m supplementary funding has been received to support the High Needs Block.
- 2.3 Table 1 provides the breakdown of the provisional settlement for the four blocks within the DSG announced in December 2021, compared with the 2021-22 latest settlement figures.

TABLE 1 – DSG Settlement as at December 2021

DSG Blocks	2021-22 £000	2022-23 £000	Increase £000	% Inc	Supplementary Funding £m
Schools Block (includes Academies)*	183,081	190,743	7,662	4.19%	5,605
High Needs Block	28,196	31,617	3,421	12.13%	1,300
Early Years Block	17,494	16,965	(529)	-3.02%	
Central Schools Services Block	1,114	1,182	68	6.10%	
Total	229,885	240,507	10,622	4.62%	6,905

Note: the table above includes roundings

* It should be noted Academy funding is recouped by the ESFA. The amount recouped by the ESFA is calculated using the formula set out in Section 3.

- 2.4 The Schools Block increase relates to an increase in pupil numbers, uplift for RPIX on PFI and an increase in DfE funding rates.
- 2.5 The High Needs block increase relates to an increase in pupil numbers and the per head gain Tameside is seeing as a result of the National Funding Formula. The gains cap is set at 12% for 2022-23, allowing Local Authority's (LAs) to see an increase up to this amount compared to the 2021-22 actual high needs allocation. Tameside are seeing an increase of 12.13% including growth in pupil numbers.

- 2.6 The Early Years Block overall reduction relates to the numbers of children (PTE) reducing. There is an increase in the DfE funding rate rates and further details can be found in Section 6.
- 2.7 The CSSB increase relates to an increase in pupil numbers and an increase in the DfE funding rate, further information is provided in Section 7.

3. SCHOOLS BLOCK

- 3.1 The Schools Block is the largest element of DSG funding which provides the majority of funding for Mainstream Schools and Academies, with additional elements potentially being allocated through the Early Years and High Needs blocks. The schools block settlement from the DfE is made up of the following funding:
- A primary unit of funding (PUF) of £4,734.84
 - A secondary unit of funding (SUF) of £6,097.80
- 3.2 This core school funding covers funding for all pupil and school led factors in the funding formula. The PUF and SUF are multiplied by the pupil numbers in reception to year 6 plus pupils aged 4 to 10 not assigned to a year group for primary and pupils in years 7 to 11, plus pupils aged 11 to 15, not assigned to a year group for secondary.
- Premises – this includes PFI and business rates which are based on historical spend. Whilst rates are included in the calculation of the DSG grant, this will not be allocated to Schools or Academies in 2022-23. This will be top sliced from the DSG allocation and retained by the ESFA who will make payments to all LA’s directly on behalf of Schools.
 - Mobility – to support schools in which a high proportion of pupils first join on a non-standard date.
 - Growth – this is calculated using the difference between the primary and secondary numbers on roll on the October 2020 and October 2021 school censuses.

TABLE 2 – Schools Block Settlement from DfE

Element of Funding	Schools Block £000
Primary Funding (20,372 Pupils)	96,458
Secondary Funding (14,571.5 Pupils)	88,854
Premises	3,992
Growth	1,439
Total	190,743
Business Rates included within Schools Block	(2,011)
Total Allocation less NNDR	188,731

Proposed funding Formula for Mainstream Schools

- 3.3 The rates used for each sector to allocate the funding to each individual school are included at **Appendix A**.
- 3.4 The PFI funding continues to be delegated to the relevant schools. The delegated figures have been uplifted by RPIX of 3.17% which reflects the increase in the unitary charge paid for the delivery of PFI services. This element of funding will be recovered by the LA in 2022-23 as in previous years.
- 3.5 Business Rates are funded to the equivalent value of the Business Rates charge for 2022-23. This funding is estimated and will be removed from Tameside’s allocations and retained

by the DfE who will pay this over to rating authorities directly on behalf of all Tameside Schools and Academies.

3.6 In 2022-23 LAs are able to set the Minimum Funding Guarantee (MFG) between +0.5% and +2% per pupil. In the Schools' Forum paper in November 2021 the proposals were to include a 0.5% MFG which is the rate at which MFG has been set. It should be noted that MFG does not protect a reduction in funding due to a reduction in pupil numbers.

3.7 The Gains Cap is a limiting factor which limits the gain in pupil led funding per pupil that a School receives. This is a necessary factor to enable the LA to meet its statutory duty to set a balanced DSG budget. For 2022-23 the gains cap will be 4.61% as opposed to the 3.64% cap consulted upon in November 2021. This means that a gaining school will receive up to a 4.61% increase. Any gain above this is used to partly offset the MFG and allow a balanced Schools Block budget to be set.

Growth

3.8 The policy for the growth fund was agreed by Schools' Forum in June 2019 and continues to be the method for allocating explicit growth.

3.9 There are 2 types of growth that are funded from the growth fund. Explicit Growth and Implicit Growth.

- Explicit growth relates to the specific growth fund and is allocated based on the growth criteria agreed by Schools Forum.
- Implicit growth relates to adjustments to pupil numbers when calculating the funding; in this case for new and growing schools.

3.10 The estimated Growth Fund required in 2022-23 is £1.3m and detail of this is included in tables 3 and 4. The final growth allocation will be based on actual numbers which will be taken from the October 2022 census.

TABLE 3 – Explicit Growth

School	£000
Milton St John's CofE Primary School	33
Alder Community High School	66
Mossley Hollins High School	64
Hyde Community College	79
Denton Community College	79
St. Thomas More RC College	40
All Saints Catholic College	79
Audenshaw High	79
Total	519

Note: the table above includes rounding's

3.11 There are currently two new and growing schools in Tameside. Implicit Growth is required for these schools as the intake increases each year. The growth for these schools is allocated by adjusting pupil numbers to reflect the estimated intake in September. The breakdown of allocations is included in Table 4.

TABLE 4 – Implicit Growth

School	£000
Discovery Academy	77
Laurus Ryecroft	718
Total	795

- 3.12 As in previous financial years Schools are asked to support safeguarding in the borough, by agreeing to make a contribution of £2.99 per pupil towards the cost of the TSCP (Tameside Safeguarding Children Partnership). All schools are asked support the continuation of this arrangement in 2022-23. This equates to approximately £0.105m.
- 3.13 In addition to the Schools Block DSG settlement for 2022-23 DfE have announced funding of a separate supplementary grant for mainstream schools. The purpose of this grant is to provide support for the cost of the Health and Social Care Levy and wider costs. This will be paid as a separate grant for 2022-23 it is the DfE's intention for this to be included in the DSG allocation from 2023-24.
The final figures provided will not be provided until spring 2022.

The allocation will be based on the October 2021 census with the exception of the early years element as this will be based on January 2022 census. Final figures will be provided in spring 2022. The allocation funding basis in the schools block is as follows;

- basic per pupil rate for pupils 5 to 16, with different rates for primary and key stages 3 and 4
- a lump sum of £3,680 per school
- A rate for FSM ever6 different rates for primary and secondary.

4. OUTCOME OF SCHOOLS FUNDING CONSULTATION

- 4.1 In line with funding regulation requirements consultation has been carried out with all schools and Academies in Tameside with regards to the funding for 2022-23, in line with proposals outlined in the 28 September 2021 Schools Forum report.
- 4.2 Schools' Forum were asked to consider a disapplication request to the Secretary of State to move 1% from the Schools Block to the High Needs block due to the significant pressure in the High Needs spending, Schools Forum do not support this request, however Schools' Forum agreed to support a 0.5% transfer. This transfer moves £0.954m from Schools Block funding to the High Needs Block.
- 4.3 Consultation took place with all Schools and Academies between 19 October and 19 November. The consultation was carried out via survey monkey, and shared with the Head teachers via Tameside Primary Consortium, Tameside Association of Secondary Head and Special School Sector Partnership, Governor Services also shared the consultation with Chairs of Governors.
- 4.4 Tameside proposals in relation to the applying NFF continues to be applying the NFF rates in line with DfE allocations, as far as possible whilst supporting a transfer from the Schools Block to the High Needs Block, the consultation questions focused on the percentage of transfer. Schools and Academies were asked if they supported 0.5% transfer and were separately asked if they supported a 1% transfer and to approach the Secretary of State for making a disapplication request.
- 4.5 The outcome of the consultation is as follows;
- a. Support is given for a 0.5% transfer from the Schools Block to the High Needs block. 67% (20 respondents) supported the transfer, 33% (10 respondents) did not.
 - b. Support is not given for a 1% transfer. 74% (23 respondents) do not support this proposal, 26% (8 respondents) did support the transfer
- 4.6 Various comments have been made by schools as part of the consultation, in relation to not supporting the 1% transfer. A number of schools have cited increasing cost pressures in schools arising from term time only costs and increased national insurance contributions. Some schools have commented that they did not believe even if schools supported the 1% that the Secretary of State would not allow it.

4.7 Schools forum are asked to note the outcome of consultation when making the schools block transfer decision.

5. HIGH NEEDS BLOCK

5.1 In December 2021, the government released the provisional 2022-23 High Needs Block Allocation of £31.617m (before academy recoupment). This is an increase in funding of £3.422m (12%) compared to 2021-22 budget settlement and includes an additional £0.350m to cover growth in pupil numbers.

5.2 In addition the local authority has received supplementary funding of £1.300m. These allocations are on top of the DSG high needs allocations calculated under the national funding but are subject to the same DSG conditions of grant. This extra funding recognises the additional costs that local authorities and schools will face in the coming year, which were not foreseen when the original high needs block allocations were calculated, including the Health and Social Care Levy.

5.3 Table 5 shows the increase in funding compared to 2021-22, note the allocation is subject to further adjustments outlined below:

- The outcome of the Place change request in November 2021 which adjusts recoupment of academy places in September 2022, an expected adjustment to funding of £0.298m is included.
- Import and Export adjustments to reflect cross border movement of pupils living in one borough and accessing provision in another (a further update to this data will follow in June 2022 when January 2022 school census for Pre 16 and February 2022 R06 individualised Learner Record (ILR data) for Post 16 is available)

TABLE 5 – Changes in settlement compared to 2021-22

	Forecast 2021-22 £000	Forecast 2022-23 £000	Difference £000
Total high needs elements in the funding floor and gains calculation	£25,468	£28,533	£3,064
Basic Entitlement	£3,282	£3,633	£351
Total Formula Allocation	£28,751	£32,165	£3,415
Plus AP Funding Factor	£180	£187	£7
Less Import/export	(£735)	(£735)	£0
Total Allocation (before Recoupment)	£28,196	£31,617	£3,422
Less Recoupment	(£1,853)	(£1,964)	(£111)
Total Allocation (after Recoupment)	£26,343	£29,653	£3,311
Further Recoupment Adjust (place Change Sept 22)	£0	(£298)	(£298)
Supplementary Funding	£0	£1,300	£1,300
Funding Available	£26,343	£30,656	£4,313

Basic Entitlement	2021-21	2021-22	Difference
Increase in Numbers	698.50	773.00	74.50
Cash Value £	4,698.96	4,699.67	0.71
Total £	3,282,224	3,632,846	350,622

Supplementary Funding 2022-23

- 5.4 In light of the recent announcement and additional funding the local authority is currently considering how the additional £1.300m will be utilised, a number of GM authorities facing financial difficulty are retaining this funding to support the High Need Deficit.

High Needs Funding Allocations to Schools

- 5.5 The number of commissioned places have been agreed with special schools and resourced units for September 2022. These are included below in table 6a, 6b and 6c.

TABLE 6a : Special School Places Commissioned September 2022

Special Schools	Current No's	Commissioned No's
	Sep-21	Sep-22
Hawthorns	140	170
Thomas Ashton	90	90
Oakdale	130	135
Cromwell High	116	120
Samuel Laycock	170	190
Total	646	705

AP Places Commissioned Sept 2022

Tameside Pupil Referral service numbers were 130 in September 2021. There will be ongoing conversations with TPRS with regards to the commissioned numbers for September 2022.

TABLE 6b: Resourced Base Places Commissioned September 2022

Resourced Units	Current No's	Commissioned No's
	Sep-21	Sep-22
Oakfield	8	16
Russell Scott	6	10
Greenside	10	20
Rosehill	0	10
Corrie	0	10
Linden Road	4	4
St John Fisher	15	12
Hyde	2	2
St Thomas Moore	19	18
Total	64	102

High Needs Deficit Projected Position

- 5.6 The table below show budget forecast after the 0.50% transfer from schools for 2022-23 and shows and impact expected growth will have on the budget position going forward. An update on the recovery plan will be brought back to Schools Forum at a future meeting.

TABLE 7 - Forecast High Needs Deficit

High Needs Deficit Forecast	DSG Balance bfwd. £000	2021-22 £000	2022-23 £000	2023-24 £000	2024-25 £000	2025-26 £000
Funding Available (after Recoupment)		26,342	30,656	30,969	31,110	31,449
Expected Spend based on Growth Projections		29,521	35,887	38,940	41,305	42,774
Schools Block Transfer		878	954			
In Year Deficit		(2,301)	(4,277)	(7,970)	(10,195)	(11,325)
Plus DSG Overall Deficit	(1,686)					
Overall Cumulative DSG Deficit		(3,987)	(8,264)	(16,234)	(26,429)	(37,754)

6. EARLY YEARS BLOCK

- 6.1 Table 8 provides the current funding settlement for Early Years for 2021-22 and 2022-23. The settlement for 2021-22 is based on the Schools, Early Years and Alternative Provision censuses data from January 2020. Confirmation of the basis of the settlement for the provisional 2022-23 information is being sought but this will be updated based on January 2022 and January 2023 census data.

TABLE 8 – Early Years Funding

Early Years Funding Streams	2021-22 Early Years Allocation at Nov 2021 £000	2022-23 Provisional Early Years Allocation £000	Increase / (Decrease) in Funding £000
3 & 4 Year Old Universal Entitlement	9,819	9,712	(107)
3 & 4 Year Old Extended Entitlement	4,560	4,308	(252)
2 Year Old Entitlement	2,906	2,670	(235)
Early Years Pupil Premium (EYPP)	136	179	44
Disability Access Fund (DAF)	73	94	21
Total	17,494	16,965	(529)

- 6.2 The reduction in funding for 3 and 4 Year Olds and 2 Year Olds is as a result of a reduction in the numbers of children (PTE). The rate the LA is funded on for 3 and 4 year olds has increased by £0.17 from £4.65 to £4.82 and by £0.21 for 2 year olds from £5.46 to £5.67.
- 6.3 The increase in funding for EYPP and DAF is as a result of an increase in the rates. The allocation rate for DAF has increased by £185 from £615 to £800. The allocation rate for EYPP has increased by £0.07 from £0.53 to £0.60 per hour per eligible pupil up to a maximum of 570 hours.
- 6.4 Consultation will need to be held with Early Years providers regarding the increased rates and therefore an additional Schools Forum meeting will be required to agree the rates of allocation for this element of funding. A report will be completed for this additional meeting proposed for 15 March 2022 with further information on the funding arrangements for the LA and for providers.

- 6.5 Approval is sought to centrally retain 5% (in line with the operational guidance) of 3 & 4 Year Old funding (£0.701m based on the current settlement) and £0.13 per hour (as a minimum) of 2 Year Old funding (£0.061m based in the current settlement).
- 6.6 The centrally retained funding will continue to support:
- Early Education Funding Team – This fully supports the administration of Early Years funding, the annual costs associated with the Servelec IT system which is used to calculate and process the payments to Schools and Private, Voluntary and Independent providers.
 - Family Information Services – This supports an Information Officer. This post provides advice, guidance and information to families wishing to access Children’s services and was implemented to support the increased demands from the early years extended provision.
 - Early Years Quality Improvement Team – This currently supports 6 Quality Officers which includes specialist SEND Quality Officers. Support is primarily in relation to: signposting and promoting the standard 15 hours offer and extended 30 hours offer; OFSTED regulations and standards; practice development; and Special Educational Needs and Disabilities related issues. The focus of the team going forward is weighted heavily towards SEND and language development.
 - SEN Team – funding support for an Early Years SEN Caseworker as specific support for SEN in early years.
 - Social Emotional and Mental Health service – funding support for an Early Year Co-ordinator as specific support in early year.
 - Sensory Support – funding support for a Hearing Impaired Teacher as specific support for Early Years.
 - Making it REAL (Raising Early Achievement in Literacy). This is aimed at supporting practitioners to build parents’ knowledge and confidence so that they can help their children with reading and writing and create a positive early home learning environment. This programme is evidence-based, has been very successful in Oldham at raising GLD. We have run test cohorts in eight primary schools in Tameside and have rolled out the programme to 12 settings and three further schools for the 2021-22 academic year. The funding will be used to bring PVIs and more school nurseries on board with Making it REAL.
- 6.7 A detailed paper with proposed funding rates, SEN Inclusion Fund and outcome of consultation will be presented at the proposed 15 March 2022 meeting.

7. CENTRAL SCHOOL SERVICES BLOCK (CSSB)

- 7.1 The Central School Services Block to fund statutory duties the LA undertakes for both maintained schools and academies. The CSSB brings together:
- Funding previously allocated through the retained duties element of the Education Services Grant (ESG)
 - Funding for ongoing central functions such as admissions which were previously top sliced from the schools block
 - Residual funding for historic commitments of which there are none for Tameside MBC
- 7.2 The total allocation to the LA for 2022-23 is £1.182m. This is based on a per pupil element of £33.83 for ongoing duties (i.e. Admissions, Schools Forum, Copyright Licenses, former ESG duties).
- 7.3 National Copyright School Licenses are also funded from this block and the amount for 2022-23 is £0.189m.
- 7.4 The DSG operational guidance for 2022-23 requires the LA to formally request Schools Forum approval for the central retention of funding for the following:

- School Admissions
- Servicing of Schools Forum
- Contribution to responsibilities that LAs hold for all schools (formally the retained duties element of the ESG)

7.5 The budgets for the above are still being worked on but the costs overall are currently estimated in excess of £1.102m. There is £0.993m available to support these costs, which Schools' Forum is requested to approve.

7.6 Central Services has not received any supplementary funding to support the increased cost in this area expected to arise from the Health and Social Care Levy.

8. CONCLUSIONS

8.1 The Schools block funding is sufficient to continue to follow the national funding formula and allocate growth in the previous method agreed by Schools Forum. Schools and Schools Forum support a 0.5% transfer to the High Needs Block to support the continued gap.

8.2 The High needs funding, has increased but continues to be capped and inadequate to cover the cost of support pupils with additional needs in the borough.

8.3 The government have provided an additional supplementary grant which is to support schools with increased costs arising from the Health and Social Care Levy.

8.4 Early Years funding rates have increased, however the overall funding envelope in Tameside has reduced due to take up of places in borough.

8.5 Central Services Grant has marginally increased however the cost of these service has also increased and no supplementary grant has been provided to meet the impact of Health and Social Care Levy in this area.

9. RECOMMENDATIONS

9.1 As set out at the front of the report.

APPENDIX A

Rates for the Mainstream Funding Formula	Rates for Primary Sector 2022-23	Rates for Secondary Sector 2022-23
	£	£
Basic Entitlement (AWPU)		
Primary	3,217	
Secondary - KS3		4,536
Secondary - KS4		5,112
Deprivation		
FSM	470	470
FSM6	590	865
IDACI band F	220	320
IDACI band E	270	425
IDACI band D	420	595
IDACI band C	460	650
IDACI band B	490	700
IDACI band A	640	890
English as an Additional Language (EAL)	565	1,530
Low Prior Attainment	1,130	1,710
Mobility	925	1,330
Minimum Funding Level	4,265	5,525
Lump Sum	121,300	121,300

APPENDIX B

Special School Top Up Rates

Banding	Description	Severity	Allocation £
PMLD-1	Profound and Multiple Learning Difficulties Level 1	1	12,754
PMLD-2	Profound and Multiple Learning Difficulties Level 2	2	19,131
PMLD-3	Profound and Multiple Learning Difficulties Level 3	3	32,753
ASC-1	Autism Spectrum Condition Level 1	1	11,479
ASC-2	Autism Spectrum Condition Level 2	2	17,218
ASC-3	Autism Spectrum Condition Level 3	3	31,477
SLD-1	Severe Learning Difficulties Level 1	1	10,203
SLD-2	Severe Learning Difficulties Level 2	2	15,305
BESD-1	Behavioural, Emotional and Social Difficulties Level 1	1	9,566
BESD-2	Behavioural, Emotional and Social Difficulties Level 2	2	14,348
MLD-1	Moderate Learning Difficulties Level 1	1	5,102
MLD-2	Moderate Learning Difficulties Level 2	1	7,652

Summarised Banding Descriptions

PMLD- Profound and Multiple Learning Difficulties

Level 1

The pupil has PMLD and requires 1-1 support for their personal care and support for accessing learning. A multi-disciplinary plan is required to ensure all the pupils' needs are met.

Level 2

Due to complexity of needs e.g. blind, deaf, severe epilepsy, personal care needs the pupil may require 2-1 support for some of the day.

Level 3

Needs greater than Level 2

ASC- Autism Spectrum Condition

Level 1

The pupil has been diagnosed with ASC. The environment is resourced to meet need. A plan around the child is used to ensure strategies and approaches are consistent at school and at home. External agencies offer guidance on strategies to be implemented.

Level 2

The pupil has additional needs that may warrant individual support for some of the day e.g. challenging/high risk behaviour, medical needs.

Level 3

Needs greater than Level 2

SLD- Severe Learning Difficulties

Level 1

The pupil has been identified as having SLD. The environment is resourced to facilitate effective communication. There is also support to develop the pupil's attention and concentration skills throughout the school day. External agencies offer advice and frequent input to the teacher, teaching assistance and parents.

Level 2

The pupil has additional needs that may warrant individual support for some of the day e.g. specific care needs- tube feeding, medical needs- epilepsy and challenging/ high risk behaviour.

BESD- Behavioural, Emotional and Social Difficulties

Level 1:

The pupil has been identified as having BESD that are impacting on their ability to learn. They may also have an additional need e.g. MLD, speech and language needs.

Level 2:

The pupil has been identified as having BESD. There is evidence that the need is long term and that a multi-agency approach is required.

MLD - Moderate Learning Difficulties

Level 1:

The pupil has been identified as having MLD and may require support from an external agency e.g. speech and language therapist.

Level 2:

The pupil has been identified as having MLD, a secondary category has also been recognised e.g. Specific language difficulty, behavioural difficulties, hearing impairment, visual impairment, physical difficulties or motor impairment.

APPENDIX C

High Needs Top Rates - Mainstream

Band	Equivalent TA Hours from Assessment	Funding Allocation £	Equivalent TA Hours Being Funded @ £439.12
##	1-14	0	0.0
1	14.1-17	1,317	3.0
2	17.1-20	2,635	6.0
3	20.1-24	4,391	10.0
4	24 +	6,587	15.0

- Assessments of equivalent Teaching Assistant Hours of less than 14 hours do not attract top up funding as these should be funded from schools Notional SEN.

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Agenda Item 6

Report to:	SCHOOLS' FORUM
Date:	19 January 2022
Reporting Officer:	Tim Bowman –Director, Education (Tameside and Stockport) Tracy Brennand – Assistant Director, People and Workforce Development Caroline Barlow – Assistant Director, Finance
Subject:	SCHOOL DE-DELEGATION 2022-23
Report Summary:	A report on the de-delegation services and risk protection arrangement (RPA) for 2022-23.
Recommendations:	Members of the Schools' Forum are requested to note the contents of the report. Members of the maintained Primary and Secondary sectors are required to vote separately on the de-delegation of funding for each of the following services: <ul style="list-style-type: none">• Trade Union Support• Schools Contingency• Schools Improvement
Corporate Plan:	Education finances significantly support the Starting Well agenda to provide the very best start in life where children are ready to learn and encouraged to thrive and develop, and supports Aspiration and Hope through learning and moving with confidence from childhood to adulthood.
Policy Implications:	In line with financial and policy framework.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	The Dedicated Schools Grant is a ring fenced grant solely for the purposes of schools and pupil related expenditure from which de-delegation decisions are funded. Any cost pressure created as a result of schools deciding not to de-delegate funding for Trade Union Support will have to be managed by the Council as stated in Section 4.5 of this report.
Legal Implications: (Authorised by the Borough Solicitor)	The legal implications are set out in the main body of the report. This report provides The Forum with an opportunity to consider the potential budgetary pressures related to schools deciding not to de-delegate funding.
Risk Management:	The correct accounting treatment of the Dedicated Schools Grant is a condition of the grant and procedures exist in budget monitoring and the closure of accounts to ensure that this is achieved. These will be subject to regular review.
Access to Information:	NON-CONFIDENTIAL This report does not contain information, which warrants its consideration in the absence of the Press or members of the public.

Background Information: The background papers relating to this report can be inspected by contacting Christine Mullins

 Telephone: 0161 342 3216

 e-mail: christine.mullins@tameside.gov.uk

1. INTRODUCTION

- 1.1 De-delegated funds are a deduction from a school's budget share and are held centrally to fund relevant services. De-delegation can only apply to maintained primary and secondary school budgets. Decisions on de-delegation have to be taken at the Schools Forum. The Primary and Secondary sector vote separately in relation to each of the services, following discussion with their wider stakeholder colleagues.
- 1.2 Academies do not have the option of de-delegating but can procure the service as a traded service. The charge would be on the same basis as de-delegation.
- 1.3 Decisions made to de-delegate are for one year only, so an annual vote is required. Schools Forum members for the primary maintained schools and secondary maintained schools must decide separately for each sector whether the specific service should be provided centrally and therefore funding de-delegated. The decision will apply to all maintained mainstream schools in that sector.

2. SERVICES FOR CONSIDERATION

- 2.1 The services that are subject to de-delegation vote are
 - Local Trade Union Support details can be found in section 3
 - Contingency outlined in section 4.
 - And Schools Improvement outlined in section 5.
- 2.2 School Improvement is a new de-delegation decision for Schools Forum due to proposed changes by DfE in a consultation held in November 2021.
- 2.3 Section 6 provides an update in relation to the Risk Protection Arrangement (RPA)

3. TRADE UNIONS SUPPORT

- 3.1 The Council for many years has offered Tameside schools access to the services of recognised local trade union and professional association officials, through the annual purchase of a Trade Union Support Service Level Agreement (SLA). The Borough's maintained schools initially have access to this service offer funded through de-delegation. The Council also offers this service on a buyback basis to all Academies and Special Schools.
- 3.2 The national operating guidance published annually by the Education and Skills Funding Agency that guides local authorities and its schools forum on implementation of the schools funding system specifically lists cover for trade union duties as being one service that may be de-delegated. Access to trade union support through a de-delegated decision is consistent practice nationally.
- 3.3 Listed below are the trade unions presently recognised by the Council, with each of them having a longstanding history of representing various public sector employee groups across Tameside schools' workforce:
Teaching staff:
 - ASCL
 - NAHT
 - NASUWT
 - NEU
Support staff:
 - GMB
 - UNISON

- UNITE

- 3.4 Purchase by school leaders/governors of the Trade Union Support SLA enables delivery of their statutory obligations contained within the Employment Relations Act 1999, the Trade Union Labour Relations (Consolidation) Act 1992 and the Safety Representatives and Safety Committees Regulations 1997, with regard to the management and delivery of reasonable facilities time for trade union representatives.
- 3.5 Purchase also enables collaborative working between school leaders/governors and local trade union representatives, achieving smooth, speedy and effective management of change; school reorganisation plans and implementation of employment related policies and procedures for school-based staff.
- 3.6 Access to this service also supports staff wellbeing by providing staff members with easy access to local trade union support and expertise in employment related matters at a local level, helping to resolve workplace issues before they escalate.
- 3.7 The Council reviews year on year the number of local trade union officers and associated expenditure in relation to this service offer, with the majority of expenditure covering employment related costs (salary plus NI/pension contributions).
- 3.8 When setting the 'per pupil' rate the Council complies with council policy of ensuring full cost recovery from schools.

4. PREVIOUS TAKE UP OF THE SERVICE AND FEEDBACK TO DATE

- 4.1 Unfortunately, in recent years, the take up of this service by schools has been reducing and for financial year 2021-22, Schools Forum members voted not to de-delegate for this service. Eventual take up of the service for 2021-22 was just 37 of the 98 Tameside schools.
- 4.2 School leaders concerns with the service have been:
 - its value for money, within the context of school leaders being aware of lower 'per pupil rates' across other Councils;
 - the transparency of actual trade union duties being delivered directly to schools and its staff;
 - the difference of service provision from a local full time official versus a school based shop steward;
 - how the SLA offer aligns to the DfE document 'Advice on trade union facility time', January 2014, more specifically the statement that 'All union representatives who receive facility time to represent members employed in schools should spend the majority of their working hours carrying out their main duties as school employees'.
 - Whether the existing Facilities Agreements remain fit for purpose due to their longevity.

5. THE COUNCIL'S RESPONSE AND ACTION TAKEN

- 5.1 Following ongoing discussion with school leader representatives throughout the year and with the aim of seeking a resolution as to what actions would be required to increase the support, value and buy-in from schools for this service, the Council has undertaken the following action:
 - A review of the existing Facilities Agreements with regional trade unions officials, ensuring clearer transparency and accountability of facilities time and activities undertaken on behalf of schools. The revised agreements are to be implemented by the Council from January 2022.

- A change to the methodology of the charging regime for schools in relation to non-teaching staff local trade union representatives, resulting in a reduced 'per pupil' cost for schools.
- Commitment to introducing a different delivery model for the supply of teaching staff local trade union representatives and their facilities time, introduced on a transitional basis over the next two financial years. The Council will work with relevant stakeholders including school leader representatives on developing the new delivery model, with the revised model to be fully operational by April 2024.

This revised delivery model is in response to the request of school leaders to move towards teaching staff local trade union representatives being employed within schools and allocated facility time as part of their normal teaching working week, to undertake trade union duties on a part time basis, funded through a pooled arrangement.

The rationale for this preferred model of delivery is it fully supports the concept that teaching staff should remain active in the school setting and have current classroom practice so not losing their valuable teaching skills and experience. Regional teaching staff trade union representatives also endorse this preferred model of delivery.

- A presentation delivered to school leaders/governors to advise in greater detail the rationale behind actions taken to date by the Council and the future plans, in response to school leaders concerns and future plans.

6. FINANCIAL CONSIDERATIONS

- 6.1 As already reported, the majority of expenditure relating to delivery of this service is the employment related costs of the local trade union representatives.
- 6.2 Taking account of feedback from school leaders with regard to cost and value for money, alongside feedback from regional non-teaching trade union representatives regarding the existing level of service provided to school support staff; the Council has changed its charging regime for this service. The new charging regime still abides with council policy of ensuring full cost recovery from schools.
- 6.3 The new charging regime has enabled a reduced 'per pupil' rate to be set for schools for the next financial year 2022-23. The rate 'per pupil' for 2022-23, taking account of the full quota of primary, secondary and special maintained schools within the borough, has been set at £4.80 per pupil. This is a reduced level compared to 2021-22's charge rate of £6.13 per pupil.
- 6.4 This service also remains available for purchase by all academy schools and special schools, and it is worth noting that the more schools that buy in the lower the 'per pupil' rate can become. For example, if our full complement of 98 schools across our campus bought this service, including all academy schools, the cost would significantly reduce to less than £3.50 per pupil for 2022-23.
- 6.5 In summary, the Council has listened to the views of school leaders and believes it has taken and continues to take appropriate and responsive action, with the aim of increasing the commitment, support and value for this service. It is hoped these actions result in maintained schools feeling confident in the changes made and planned for the future, enabling them to vote to de-delegate their budget for this service offer for the forthcoming financial year. There is also the aim of increased buy in levels from academy schools.

- 6.6 The vote to de-delegate is fully endorsed by the Council's Director of Education and national trade union representatives, who have made written representations to school leaders/Council representatives at various times throughout the year in support of this service, copies of which are attached at appendices 1, 2 and 3.
- 6.7 However, should all of these actions and plans still not achieve the required level of buy-in to enable full cost recovery, then due to the present financial position of the Council it will find itself requiring to undertake a full review of this service offer to schools.

7. CONTINGENCY

- 7.1 The contingency budget has been established to support those schools facing a deficit budget position or to support the DSG against any future pressures where schools are closing or are forced to convert to academy leaving a deficit balance, as this would need to be funded from DSG. It should be noted that a deficit balance transfers to the Academy Trust where the transfer to Academy is through a convertor route, i.e. the School chooses via an Academy order to convert to Academy. The balance remains a DSG issue where the schools are a forced conversion as part of a Sponsored Academy conversion route required by the Secretary of State.
- 7.2 Where a school is in deficit or facing deficit in the next financial year they will be subject to a review in line with the School Deficit process as outlined within the Tameside Scheme Financing, the LA will work very closely with the school and its Governors to manage the deficit and ensure action is taken to address it.
- 7.3 It is also anticipated that schools struggling to manage deficits where financial issues are beyond the control or influence of the Head teacher could apply. This would be exceptional circumstances, and where significant action had already been taken to bring the plan back into balance and where further cuts are likely to impact on the attainment of the pupils in the school.
- 7.4 Alongside this, support will be provided to schools closing with deficit balances to minimise the impact and potential pressure on the DSG.
- 7.5 The de-delegation rate for Contingency for 2022-23 remains at £5.81 per pupil. Agreement is sought from both the Primary and Secondary sectors to de-delegate in 2022-23. Should both sectors choose to contribute, based on the October 2021 census data, this would result in the following contribution to Contingency:
- Mainstream Primary Maintained Schools - £67k
 - Mainstream Secondary Maintained Schools - £33k
- 7.6 There have been requests made to the contingency fund during 2021-22 which have been refused following further discussion at School Funding Group and Schools Forum. The fund will be carried forward into 2022-23 less any approvals that may be agreed before year end.
- 7.7 The balances in contingency are as outlined in the table below

Contingency Contributions	Primary	Secondary	Total
Balance at 31.3.2021		65,205.42	65,205.42
2021-22 De-delegations	67,432.00	33,383.00	100,815.00
Total Contributions	67,432.00	98,588.42	166,020.42

- 7.8 Contingency was discussed at Schools Forum and it was agreed in June 2021. A maximum level of the fund was set at £424,00 for both sectors. Schools forum requested that the decision regarding if the sectors are willing to merge the pot in a bid. School are now asked if they are happy to merge the pot.

8. SCHOOL IMPROVEMENT SERVICES

8.1 The LA currently receives an annual School Improvement and Brokerage grant direct from DfE of £213,000, to support LA statutory school improvement functions (i.e. school intervention, etc.). The DfE published a consultation document (hyperlink provided below) which closed 26 November 2021.

8.2 The DfE proposes to remove this grant. In 2022-23 the council will receive transitional funding of 50% therefore local authorities will need to seek de-delegation of schools funding to support any ongoing LA statutory function activity costs, etc.

<https://consult.education.gov.uk/simb-grant-team/local-authority-school-improvement-funding-reform/>

8.3 A formal response to the DfE was submitted in response to the proposal. Many concerns were raised including;

- Although formal powers of intervention had not been used a great deal, the grant is used to meet needs before schools reach this critical point of failure and therefore monies are used to support schools to prevent them from failing children before being eligible for intervention.
- School improvement activity in Tameside is not limited to maintained schools only, support is provided to academy schools too. Removal of this grant and funding would remove the ability to support the whole sector and be detrimental to the whole Education offer in Tameside.
- De-delegation would present an uneven playing field between MAT's and maintained schools, MATs do not need to seek permission of schools to top slice school budgets to provide improvement support.
- Removal of this central government grant to fund school improvement functions is transferring the cost and applying more pressure to the schools block funding of the DSG.
- The timeline for the change makes decision making and informed consultation very difficult.

8.4 The final decision and outcomes of this consultation are due be received from DfE early January 2022, these have not been received at the time of writing this report, which is extremely unhelpful in terms of budget planning for 2022-23. As the LA is required to outline all de-delegation decisions on the annual pro-forma return, which must be submitted to the DfE detailing all local schools funding formula arrangements (including de-delegation) by 20 January 2022.

8.5 The DfE is providing a supplementary grant to Schools alongside the DSG to support with the new Health and Social Care Levy and wider costs, as this announcement was at a similar time as the end of this consultation, it is currently anticipated that the removal of this grant will be agreed.

8.6 The Schools Improvement service will not be able to deliver its statutory functions without the grant, therefore it is requested that a de-delegation decision is made by Schools Forum to de-delegate the equivalent of 50% of the grant for 2022-23. The de-delegation contributions will only be taken should the DfE decision remove the grant. If the decision is to keep the grant the funds will be returned to schools.

8.7 The cost of Schools Improvement for 2022-23 is £6.12 per pupil, it should be noted that this would at least double in 2023-24, as the LA will receive 50% transitional grant in 2022-23, the cost of the service would need to be de-delegated in full from schools in 2023-24.

8.8 Members of Schools Forum are asked to support this.

9. RISK PROTECTION ARRANGEMENT (RPA)

- 9.1 From April 2020 local authority maintained schools have been able to join the risk protection arrangement (RPA), which had previously only been available to academies.
- 9.2 Where schools have opted into this arrangement in 2021-22, the membership will continue on an ongoing basis. Should a school choose to opt out of the arrangement they would need to make their own risk protection arrangements.
- 9.3 The cost of RPA for 2022-23 is £21 per pupil. The DfE is operating a process whereby a deduction is made for the appropriate value, from the local authorities DSG. The LA plan to treat this in the same way as de-delegation items and allocate to the relevant schools on this basis. It should be noted that nursery numbers are included to calculate the charge for the primary sector (where relevant).
- 9.4 Further information about the scheme can be found through the following link:
[The risk protection arrangement \(RPA\) for schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/the-risk-protection-arrangement-rpa-for-schools)

10. CONCLUSION

- 10.1 Schools Forum are asked to consider the services and requests for de-delegation in 2022-23 and note the change in rate for the RPA scheme.

11. RECOMMENDATIONS

- 11.1 As set out at the front of the report.

Date: 18 June 2021

To: All NAHT Head Teacher Members in
Tameside schools

Jason Ferraby

Regional Officer
1 Heath Square
Boltro Road
Haywards Heath
West Sussex
RH16 1BL

e: jason.ferraby@naht.org.uk

m: 07710 702123

w: www.naht.org.uk

Dear Colleague,

You may be aware that that discussions are currently taking place between trade unions, the local authority and Schools Forum regarding a new funding model for supply cover costs for trade union facilities time.

Along with the other recognised trade unions NAHT believe that the central retention and distribution of the fund is the most effective and efficient arrangement for the management of trade unions facilities times. We are asking you to pass the information in this letter to members in your Schools Forum and to encourage them to vote again for de-delegation of funding arrangements for supply cover costs.

Successive governments have recognised the importance of good industrial relations and have legislated to provide a statutory basis for facilities time as follows.

- Paid time off for union representatives to accompany a worker to a disciplinary or grievance hearing.
- Paid time off for union representatives to carry out trade union duties.
- Paid time off for union representatives to attend union training.
- Paid time off for union 'learning representatives' to carry out relevant learning activities.
- Paid time for union health and safety representatives during working hours to carry out health and safety functions.

These provisions are contained within the Employment Relations Act 1999 and the Trade Union Labour Relations (Consolidation) Act 1992 and the Safety Representatives and Safety Committees Regulations 1977.

Irrespective of the funding arrangement trade union representatives, including NAHT officials, are still entitled to be released to represent their members.

Furthermore, even where the funding is delegated to schools, the local authority retains the statutory duty to allow paid release for trade union officers to carry out their trade union duties in respect of its employees. The unions will expect their officers to be released from maintained schools as and when necessary to exercise their statutory rights. The funding delegated to a single school will not be sufficient to meet the cost of releasing a local officer for their trade union duties, for example, to allow them to

negotiate with the local authority on the terms and conditions of teachers in the maintained schools within the authority.

Establishing a central pool will guarantee that trade union officers released from their posts as local authority employees spend this time representing employees of employers that have contributed to the pool.

Pooled funding will help the local authority and all schools to meet their statutory obligations on trade union facilities time. Setting up a central funding arrangement will allow schools to pay into a central pool if they wish to; it will give schools a choice although it is a choice NAHT recommend they make. Perhaps most importantly it will help maintain a coherent industrial relations environment where issues and concerns whether individual or collective can be dealt with more effectively. All these points are echoed in the advice issued by the Local Government Association and the National Employers Organisation for School Teachers.

The NAHT clearly supports de-delegation of funds for trade union facilities and that this fund should be co-ordinated through the offices of the LA. We also believe that academies within the boundaries of the authority should be allowed to and encouraged to buy back into local authority arrangements. Indeed, many academies across England have already agreed to buy in to local authority trade union facilities arrangements.

If academies are not able to buy back, or indeed choose not to, there is a possibility the unions may set up a branch within each academy or MAT meaning each academy employer will need to provide appropriate facilities time.

NAHT urge you therefore to support the de-delegation funding for supply cover costs and to continue with a mechanism whereby academies within your boundaries are able to buy into a central fund for trade union facilities time

In this time of pressures on school funding it is understandable that school leaders are thinking about every area of spending. However, the impact of not having de-delegated funding for trade union facilities time may have unintended consequences for individual schools should the trade unions seek to have local representatives in each school.

If you have any questions on this, please don't hesitate to call or email.

Yours sincerely,



Jason Ferraby
NAHT Regional Officer

Tim Bowman
Director of Education
(Tameside and Stockport)

Hyde Town Hall, Market Street
Hyde, SK14 1AL

Call Centre 0161-342-8355

To: Headteachers/Chair of Governors

www.tameside.gov.uk
email: tim.bowman@tameside.gov.uk

Ask for Tim Bowman
Direct Line 0161 342 2050
Date 30 November 2021

Dear Headteacher/Chair of Governors,

Trade Union Support Service Level Agreement 2022/23: De-delegated services

You will be aware that each year Schools Forum is asked to consider if funding can be de-delegated to support the delivery of some services. One of these key services is to supply the services of local trade union representatives to your school and your staff, often referred to as Trade Union Facilities time.

Unfortunately, in recent years, the take up of this service has been reducing and for this financial year (2021/22), Schools Forum voted not to de-delegate budgets for the supply of this service. Whilst I appreciated the reason this decision was reached, I continue to believe that this is a vital service and that the best way to support it, is to de-delegate funding.

In reaching their decision, Schools Forum representatives were clear they wanted to continue to discuss this service and these discussions have been ongoing throughout the year. The Council has reflected on these discussions and I am extremely pleased to update you on a number of actions undertaken in response, with the aim of further increasing value for money for your school. It is my hope that these actions will mean that school leaders feel able to support the de-delegation of trade union support for the forthcoming financial year. The vote will be taken at Schools Forum on 13 January 2022.

Before I advise you of the actions undertaken, I again want to take this opportunity to remind you of the significant benefits I believe this SLA offers to your school, the wellbeing of your staff and to our Tameside school community:

- Local, easy access for your staff to trade union representatives who have local knowledge and expertise to help them with employment related matters, enabling staff and school leaders to resolve workplace issues quickly before they escalate, thereby aiding improved working relationships. Escalation of workplace issues often prove costly and damaging for schools, with early intervention being paramount.
- Support and collaborative working with school leaders/governors to enable smooth and effective management of change; school reorganisation plans; implementation of policies and procedures for school-based staff.

- Ability for you as school leaders/governors to ensure delivery of your statutory obligations as contained within the Employment Relations Act 1999, the Trade Union Labour Relations (Consolidation) Act 1992 and the Safety Representatives and Safety Committees Regulations 1997, with regard to the management and delivery of reasonable facilities time for trade union representatives.

Collaborative working with our local trade union representatives has never been more important than during the pandemic. With the support of local trade union representatives, schools have been supported to react appropriately and quickly when dealing with constant change.

In response to the feedback received last year and following our discussion with headteacher representatives, the following actions have been undertaken:

- A review of the existing Council Facilities Agreements with the local recognised trade unions, ensuring clearer transparency of facilities time and activities undertaken on behalf of schools.
- A reduction in the cost for schools for this service for the forthcoming financial year 2022/23, with the per pupil rate being presented in January 2022 to Schools Forum at £4.80 per pupil, compared to last year's rate of £6.13. This amount has been calculated taking into account the actual take up across schools this financial year. However should more schools buy in for 2022/23 then the cost can be further reduced. For example, if our full complement of 98 schools across our campus bought this service the cost would significantly reduce to less than £3.50 per pupil.
- Recommendations for a different delivery model for the supply of local teaching staff trade union representatives and their facilities time, to be introduced on a transitional basis over the next two financial years, in response to headteachers and regional teacher trade union representatives' requests.

In order to explain these changes in greater detail, we have organised a half hour presentation by zoom for you, with the Council's Human Resources service. This will take place on Wednesday 08 December at 8:00am in order that it does not impact on the rest of your busy day. An outlook diary invite for this presentation will be sent to you.

I am proud of the way we work together in Tameside; the strength of our relationships with our Trade Union colleagues is, in my view, vital to our partnership.

It is for this reason that I am taking the extraordinary step of writing to you directly to ask that you give your Schools Forum representative the mandate to vote yes to de-delegation at the Schools Forum meeting on 13 January 2022.

Many thanks, as ever.



Tim Bowman
Director of Education (Tameside and Stockport)



Dear Director

We are writing on behalf of all employees working in your local authority area who are members of NAHT, ASCL and the National Education Union (NEU).

Acting in accordance with advice issued by the Local Government Association and the National Employers' Organisation for School Teachers, the vast majority of schools made the right decision last year by agreeing through their Schools Forum to 'de-delegate' funding for supply cover costs, including for trade union facilities time.

We believe that the central retention and distribution of this funding is the most effective and efficient arrangement, and we would like to work with you to ensure that this arrangement continues. Discussions are now taking place in your authority on funding arrangements for supply cover costs from April next year and we are asking you to pass the information in this letter to members in your Schools Forum and to encourage them to vote for de-delegation of funding arrangements for supply cover costs.

Successive governments have recognised the importance of good industrial relations and have legislated to provide a statutory basis for facilities time as follows:

- Paid time off for union representatives to accompany a worker to a disciplinary or grievance hearing.
- Paid time off for union representatives to carry out trade union duties.
- Paid time off for union representatives to attend union training.
- Paid time off for union 'learning representatives' to carry out relevant learning activities.
- Paid time for union health and safety representatives during working hours to carry out health and safety functions.

These provisions are contained within the Employment Relations Act 1999 and the Trade Union Labour Relations (Consolidation) Act 1992 and the Safety Representatives and Safety Committees Regulations 1977.

NAHT, ASCL and NEU have members and union representatives in academies as well as maintained schools within your local authority area and, in addition to seeking your support for de-delegation, we are seeking your agreement for the local trade union funding arrangement to be formally extended to academies within your local authority boundary.

As the DfE Advice on Trade Union Facility Time acknowledges, the trade union recognition agreement between the authority and the recognised unions will have

transferred to each academy school as the new employer of the transferred staff as part of the conversion process to academy status under TUPE. We believe that, following conversion, academies should also become parties to local authority trade union facilities arrangements.

The academies within your authority will have received funding for trade union facilities time in their budgets and they are permitted to use that funding to buy-back into local authority arrangements. Indeed, many academies across England have already agreed to buy in to local authority trade union facilities arrangements.

Pooled funding will help the local authority and all schools to meet their statutory obligations on trade union facilities time. Setting up a central funding arrangement will allow academies to pay into a central pool if they wish to. But most importantly it will help maintain a coherent industrial relations environment where issues and concerns whether individual or collective can be dealt with more effectively. All these points are echoed in the advice issued by the LGA and NEOST.

We urge you therefore to support the de-delegation of funding for trade union facilities time and to continue or establish (if you did not do so previously) a mechanism whereby academies within your authority are able to buy into a central fund for trade union facilities time. If you agree to do so, we will write to academy principals to encourage them to buy in to your arrangement.

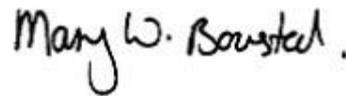
Yours sincerely



**General Secretary
ASCL**



**General Secretary
NAHT**



**Joint General Secretary
NEU**



**Joint General Secretary
NEU**

Agenda Item 7

Report to:	SCHOOLS' FORUM
Date:	19 January 2022
Reporting Officer:	Caroline Barlow – Assistant Director, Finance Tim Bowman –Director, Education (Tameside and Stockport)
Subject:	SCHOOLS FORUM FORWARD PLAN 2022/23
Report Summary:	Provide members of Schools Forum the Forward Plan of reports and meeting deadlines for the Financial Year 2022/23.
Recommendations:	Members of the Schools Forum are requested to note the meeting dates set out for 2022/23 and the reports to be tabled at each meeting.
Corporate Plan:	The schools forum decision making, supports the Corporate Plan by supporting best use of resources to ensure children have the very best start in life, ensuring children are ready to learn and encouraged to thrive and develop
Policy Implications:	Overall effective use of resources across Tameside schools is a key component in the Authority's Annual Use of Resources Statement.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are no direct financial implications as a result of this report, however an effective Schools Forum would support good stewardship and good use of resources.
Legal Implications: (Authorised by the Borough Solicitor)	<p>The Schools Forums (England) Regulations 2012 set out the requirements of the Forum particularly in relation to the matters and financial issues on which forums must be consulted.</p> <p>The forward plan provides the Forum with a timetable and overview of their programme for the next 12 months to ensure that it is sighted on and consulted with appropriately.</p>
Risk Management:	There are no direct risk management implications as a result of this report.
Access to Information:	NON-CONFIDENTIAL This report does not contain information which warrants its consideration in the absence of the Press or members of the public.
Background Information:	The background papers relating to this report can be inspected by contacting Christine Mullins  Telephone: 0161 3472 3216  e-mail: christine.mullins@tameside.gov.uk

1. INTRODUCTION

- 1.1 This report outlines the timetable and schedule of meetings and reports to be presented for the upcoming year, forming a forward plan. The plan will enable Forum Members to be kept informed of items to be tabled for consideration.

2. TIMETABLE

- 2.1 The meeting dates for the remainder of 2022/23 year for forum have now been set and are outlined below. Setting the annual schedule of dates in advance assists Forum Members with diary planning.

<u>Date</u>	<u>Venue</u>
Tuesday 15 March 2022	Zoom
Tuesday 21 June 2022	Zoom
Tuesday 27 September 2022	Zoom
Tuesday 29 November 2022	Zoom
Thursday 19 January 2023	Zoom

3. FORWARD PLAN

- 3.1 The table below summarises the forward plan of reports to be considered at each meeting by Schools Forum.

Forum Meeting	Report	Purpose
March	Early Years Funding	Noting
June	DSG Outturn 2021/22 and 2022/23 Update	Noting
	Scheme of financing for Schools	Noting
	Schools Balances Reports	Noting
	High Needs and Deficit recovery Update	Noting
September	Forum Membership	Approval
	Schools Balances Reports	Noting
	Schools Financial Values Standard Returns	Noting
	School Funding Update on NFF and Summer Announcements from DFE	Noting
	Consultation of Funding Formula (Schools Block)	Noting
	DSG Monitoring 2022/23 Update	Noting
November	High Needs and Deficit recovery Update	Noting
	DSG Monitoring 2022/23 Update	Update
	Outcome of consultation Schools Block	Update
January	High Needs and Deficit recovery Update	Update
	DSG Monitoring 2022/23 Update	Noting
	Formula Funding 2023/24	Noting
	Schools Forum Forward Plan	Noting
	High Needs and Deficit recovery Update	Noting

- 3.2 Further reports may be added to the agenda where Schools' Forum involvement is necessary throughout the year.

4. RECOMMENDATIONS

4.1 As set out at the front of the report.

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