

# Public Document Pack



**Service Director – Legal, Governance and  
Commissioning**

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Thursday 21 November 2019

## Notice of Meeting

Dear Member

### **Kirklees Schools Forum**

The **Kirklees Schools Forum** will meet in the **Tolson Museum, Ravensknowle Park** at **10.00 am** on **Friday 29 November 2019**.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft".

**Julie Muscroft**

**Service Director – Legal, Governance and Commissioning**

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

## **The Kirklees Schools Forum members are:-**

### **Member**

Andi Gilroy-Sinclair	Nursery Schools
Louise Brown	Primary Schools
Diana Wilson	Primary Schools
Marcus Newby	Primary Schools
Claire Minogue	Primary Schools
Jenny Shore	Primary Schools
Paul Evans	Special Schools - Maintained
Martin Ridge	Pupil Referral Units
Karen Colligan	Maintained Secondary Schools
Michelle Lee	Academies (Chair)
Catherine Jubbs	Academies
Darren Christian	Academies (Vice Chair)
Vacancy	Academies
Paul Davies	School Governor Rep

### **Non School Members**

Hazel Danson	NUT
Paula Wescott	NAS/UWT
Carmen Gonzalez	Post 16
Kath Duffy	Private, Voluntary & Independent Early Years Settings

### **Supporting LA officers in attendance:**

David Gearing, Financial Delegation Manager & Minute Clerk  
Natalie McSheffrey, Schools Relationship Manager & Clerk

# **Agenda**

## **Reports or Explanatory Notes Attached**

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**Pages**

**1: Apologies for Absence**

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**2: Minutes of the Forum meeting held on 18th October 2019**

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**3: Matters arising from the 18th October 2019**

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**4: Forum membership update**

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**5: Kirklees Education & Learning Partnership Board (standing item)**

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**6: High Needs Budget (standing item)**

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**7: School funding 2020-21: latest news**

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**8: Schools funding 2020-21 - annual consultation on de-delegation, Central Schools Services budget**

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7 - 16

**9: Annual Cabinet report on school funding consultation and decisions**

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**10: Any other business**

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**11: Confirm minutes**

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**12: Date and time of next meeting: Friday 6th March 2020 at 10.00am**

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## THE KIRKLEES SCHOOLS FORUM

### meeting held on **Friday 18<sup>th</sup> October 2019**

### 10:00am at the Tolson Museum, Huddersfield

**Present:**

	Nursery School Heads (1)
Louise Brown, Jenny Shore, Diana Wilson	Primary School Heads (5)
Karen Colligan	High School Heads (2)
Paul Evans	Special School Heads (1)
	Special Academy Heads (1)
Catherine Jubbs, Michelle Lee [Chair]	Academy Heads (3)
Martin Ridge	Pupil Referral Units (1)
	Kirklees Governors (1)
Paula Wescott (NASUWT)	Non-school members (5)
David Gearing (Financial Delegation Manager); [Minute Clerk] Ronnie Hartley, Head of Service – Education Safeguarding and Inclusion Natalie McSheffrey (Relationship Manager, Schools and Settings) Harkireet Sohel (Head of Service – Outcomes for Children) Martin Wilby (Senior Strategic Manager – Education Places and Access)	Officers in Support
	Observers

#### 1. Apologies for absence

Apologies had been received from Darren Christian (Academy Heads), Hazel Danson (NEU), Paul Davies (School Governors), Carmen Gonzalez-Eslava (Post-16), Claire Minogue (Primary Heads), Cllr Carole Pattison (Portfolio Holder for Learning, Aspiration & Communities) Jo-Anne Sanders (Service Director – Learning & Early Support) and Sarah Wilson (Special Academy Heads).

#### 2. Minutes of the Schools Forum Public meeting held on 28<sup>th</sup> June 2019

The minutes were agreed to be a true record of the meeting.

#### 3. Matters arising from the Schools Forum Public meeting 28<sup>th</sup> June 2019

Nothing was raised.

#### 4. Membership update / proportionate representation for academic year 2019/20

Taking the May 2019 pupil census, the proportion for secondary pupils in maintained schools has fallen from 14.86% of the total to 13.60% whilst the proportion of secondary pupils in academies has risen from 23.60% to 25.39%.

The balance is now 63.07% maintained and 36.93% academy – a rounded outcome of 6 maintained representatives and 4 academy representatives.

So the conclusion was that one of the maintained Secondary representatives needed to step down and there needs to be a nomination and elections process to elect a fourth academy representative from the overall academy sector.

A nomination and election process for the fourth academy representative will take place as soon as feasibly possible.

## **5. Kirklees Education & Learning Partnership Board (standing item)**

There had been two main topics considered at the last KE&LPB meeting: -

Data and Outcomes – the latest set of school outcomes locally had seen positive movement across many of the key stages of the national curriculum. This was seen to be both an individual and a group effort by schools. All the relevant data is being brought together into a report. Once the data has been through a validation process the report will be shared more widely.

Recruitment & Retention – the local picture. Sarah Rawnsley has been gathering information from local schools about their recruitment and retention issues. The timing of the exercise could have been better and has had an effect upon response rates. However, it should be possible to pursue some 'quick wins' from what has already been learnt. A more detailed piece of work will be undertaken, gathering more information via individual conversations with schools about what is working and what isn't with the aim of putting a strategy in place to help.

## **6. Schools funding 2020-21 – news and scoping of decisions needed for the new school funding round**

The Education & Skills Funding Agency (ESFA) has recently made a number of important announcements about Dedicated Schools Grant (DSG) funding for 2020-21. The DSG has four component funding blocks...

### **Schools Funding Block**

Within the **Schools Block** the finalised Primary and Secondary units of funding have been announced for Kirklees as £4,245.53 and £5,433.31 respectively. Application of these values to the October 2018 census data produces a £7.62m increase (from £293.50m to £301.13m) which is a 2.60% rise. There is an expectation that every mainstream school will see at least a 1.84% inflationary rise in their funding per pupil when compared to 2019-20 baselines. The difference between this requirement and the 2.60% overall rise is largely due to the inclusion of additional funds for a new formula-based pupil mobility factor next year and funding to support the (compulsory) increase to the minimum per pupil funding levels for 2020-21 (from £3,500 to £3,750 for primary schools and £4,800 to £5,000 for secondary schools). If the October 2019 census return contains more pupils than the previous October census does, Kirklees' final Schools Block allocation will show a further increase above the illustrated £301.13m.

### **High Needs Funding Block**

In terms of the **High Needs Block** there is some good news with increased funding being delivered for 2020-21 and a promise of a further increase after that. For funding year 2020-21 Kirklees' High Needs Block will increase from £37.06m to £43.07m. The increase may be slightly more in the event once the latest census data is used. Kirklees will receive the maximum 17% increase per head of population compared to 2019-20. And the projected eventual outcome for our High Needs NFF has also been improved such that Kirklees is now projected to see a further increase in the funding block of £5.7m. [Funding beyond 2020-21 is still subject to confirmation by the Treasury and there is no indication about how quickly the additional money would flow through to the Council].

Another significant contextual change for our High Needs pressures is the ESFA's consultation about changes to some DSG terms and conditions. That document proposes to remove from local authorities the ability to use their general fund to absorb or mitigate overspends within the DSG account. Kirklees has taken such action in each of the last two years to deal with its High Needs pressures but, if the proposal is adopted, will not be able to help with the 2019-20 DSG deficit. Instead, any deficit in the DSG will have to be rolled forward as a liability on the DSG balance sheet. The declared deficit will trigger further engagement with the ESFA and a requirement to agree a deficit recovery plan for the High Needs portion of the DSG.

### **Central Schools Services Funding Block**

The 2020-21 **Central Schools Services Block** allocation to Kirklees will suffer an £87k decrease from its 2019-20 level. Part of this stems from the natural progression of NFF phasing protection withdrawal – Kirklees' per pupil unit of funding drops from £33.99 to £33.14 next year. However, £34k of the total loss relates to a 20% cut in the amount of specific support provided for 'historic DSG commitments'. The ESFA has assumed that local authorities should be in a position to unwind or reduce said commitments over time. This is not the case in Kirklees as its historic commitments relate to ongoing long-term annual teacher pension costs where any savings will only accrue slowly over a long period of time.

### **Early Years Funding Block**

The **Early Years Block** is always announced sometime after the other three blocks. It is indicated that there will be (unspecified) increases to the hourly funding rate for disadvantaged two year olds and, in most local authorities, to the rate for three and four year olds. Kirklees is a local authority which should see the rate increase passed through in full.

### **Increases to the Schools National Funding Formula factor values 2020-21**

Funding year 2020-21 will see the National Funding Formula factor values uplifted for the first time since their introduction. A paper was circulated setting out the change in each of the factor values between 2019-20 and 2020-21. Overall, there is an average increase of 4% in factor values. The exceptions to this are the Current Free School Meals factor and the Primary Minimum per Pupil funding factor. The FSM factor is meant to approximate to the annual cost to the school of providing a free meal so a basic inflationary uplift of 2.27% has instead been applied. The boost in the Primary minimum per pupil value from £3,500 to £3,750 represents a 7.14% increase.

The impact of the above funding changes will be different across different schools and how it feels will be largely determined by the amount of transitional cash protection a school is currently receiving. A small number of Kirklees schools are already wholly funded by the NFF method without the need for cash protection. Such schools will see the full effect of the uplifts to NFF values in 2020-21. For other schools the uplift to the minimum per pupil funding values will also be in their favour. The schools in both these categories are typically those which don't receive much by way of funding support through the additional needs factors. The majority of schools in Kirklees in 2019-20 had their funding allocation shored up by some level of transitional cash protection. Like all other schools they will receive the average 4% increase to factor values but their cash protection level will reduce as a result, with the worst net result from the two movements being the minimum 1.84% increase per pupil. Those with lower levels of cash protection may stand to gain more than the minimum 1.84% if their protection disappears.

## **Decisions required for the 2020-21 Schools Funding Round**

- a) Adoption of the new formula-based Pupil Mobility factor
- b) Disapplication requests to the Secretary of State for 2020-21
- c) Central Schools Services Block expenditure 2020-21 (all schools)
- d) De-delegation arrangements 2020-21 (maintained mainstream schools only)

### **a) Adoption of the new formula-based Pupil Mobility factor**

2020-21 sees the introduction to the Schools National Funding Formula of a new, formula-based Pupil Mobility factor. 'Pupil mobility' is defined as pupils starting at a school other than the normal September admission point. The new funding factor tracks for each pupil currently on roll the first census they appeared on at the school. If that first census is either the Spring census or the Summer census the pupil is counted in the mobility data set. A threshold has been set at 6% (lowered from the previous method's 10%) of overall number on roll, beyond which pupils will start to attract mobility funding for the school [£875 per mobile primary pupil above the threshold and £1,250 per mobile secondary pupil above the threshold]. An analysis was circulated to show the allocations that would have applied using the October 2018 data set. A total of 31 primary allocations totalling around £105k would have resulted with just 3 secondary allocations totalling £37k.

The Forum was asked to come to a view on whether Kirklees' funding arrangements for 2020-21 should include the new Pupil Mobility factor. Looking at the list of eligible schools and the allocations illustrated some members tried to look for reasons why schools had high pupil mobility – many of the schools listed serve relatively disadvantaged communities and there were also a number of small primary schools present where it wouldn't take much pupil movement to breach the 6% threshold. Transfers in of permanently excluded pupils may also be a relevant factor. It was suggested also that late registrations caused by slow admissions processes might be having some influence. It was also pointed out that the picture is likely to change year-by-year as lots of different factors can influence a school's mobility.

**Agreed: - to adopt the Pupil Mobility factor for use in 2020-21 school funding allocations. Having taken a previous decision to use the National Funding Formula factors and values to not adopt the new Mobility factor would be inconsistent. However, Forum would like to understand more about the underlying factors which contribute to pupils starting at schools during the academic year.**

### **b) Disapplication requests for 2020-21 to the Secretary of State**

A formal disapplication request has to be submitted to the Secretary of State for Education in cases where the normal application of the funding formula method would produce an anomalous or unjustified result for a school or schools. The next window for disapplication requests closes on Wednesday 20<sup>th</sup> November, with responses back from the Department in time for the January funding submission deadline. Currently there is a need to submit three disapplication requests in respect of 2020-21 funding allocations and the Forum was provided with copies of the associated request forms...

- 1) Royds Hall Community School – Luck Lane provision
- 2) Almondbury Community School – closure of secondary provision August 2020
- 3) Ashbrow Primary School – phasing out of identified over-funding



Royds Hall Community School – the latest in a series of disapplication requests aimed at preventing the annual expansion in the number of primary-age children attending the Luck Lane provision as another year group goes live being over-protected at a secondary pupil rate via the Minimum Funding Guarantee calculation. The ESFA has supplied each year an Excel file to complete which adjusts the MFG baseline for the changing balance of primary and secondary pupils at the school.

Almondbury Community School – the School's age range will alter from 1/9/20 to remove the secondary years. Permission is sought to deduct the secondary pupils showing in the October 2019 data set with effect from 31/8/20. The intention then is to also adjust from 1/9/20 the pupil numbers used in the funding formula for the three schools expected to be significantly affected by transfers in of Almondbury's current pupils in Years 7, 8, 9 and 10. Parents of these pupils have been asked to express one preference for a choice of new school for their child, choosing between King James's School, Netherhall Learning Campus High School and Newsome High School. The estimated number of pupil transfers between Almondbury and these three schools will be added into each school's data set numbers with effect from 1/9/20.

Ashbrow Primary School – last year officers carried out an investigation into the underlying cause for this school's persistent exceptional reserve balance. The source of the matter was traced back to the merger of two separate schools, Ashbrow I & N and Ashbrow Junior, at a point before the ESFA had brought into effect the mechanism to adjust a merged school's budget going forward to phase out one of the lump sum amounts. Ashbrow Primary School had never been subject to that adjustment and that, combined with rapid growth in pupil numbers since the merger, had contributed to significant over-funding in comparison to other primary schools. Officers tracked through what the funding outcomes for the school would have been had their budget been adjusted in the way that subsequent school mergers have been treated. Forum backed a request last year to begin to move the School's funding baseline back to a level which corrects the overfunding but to do this over a period of time to provide the School with the necessary space to adjust its spending pattern against a staged and predictable series of funding adjustments. A four-year timescale was adopted and a first adjustment was made to the School's baseline in the 2019-20 allocation. Permission is now being sought to make a similar adjustment to the School's baseline used within the 2020-21 allocation to take the next step in bringing the School's funding back into line. The head teacher continues to be kept apprised of developments and officers will work with the school to support them through the process of matching expenditure plans to the reducing levels of funding.

**Agreed: - that all three disapplication requests in respect of necessary funding adjustments in funding year 2020-21 be submitted in advance of the 20<sup>th</sup> November deadline to the Secretary of State for his consideration.**

**c) Central Schools Services Block expenditure 2020-21 (all schools)**

For decision by the 29<sup>th</sup> November meeting.

**d) De-delegation arrangements 2020-21 (maintained mainstream schools only)**

For decision by the 29<sup>th</sup> November meeting.

## **7. Update re High Needs budget pressures / actions**

Kirklees' High Needs account continues to experience significant financial pressure. As the update at item 6 above reveals Kirklees stands to receive increased High Needs funding from next year and beyond which will help to ease some of that pressure but the increase is not coming quickly enough to resolve the problem. Also it seems likely, following a consultation process, that local authorities will be prevented in future from using their own resources to bail out DSG deficits, with overspends then having to be parked as liabilities within the DSG balance sheet and a plan agreed with the ESFA to return the account at least to an in-year balance within a specified period.

The main pressure points within Kirklees' High Needs funding account continue to be...

- Mainstream top-ups – growing numbers of children with Education, Health and Care Plans and increasing levels of complex need within the top-up structure.
- Special Schools – increased complexity of needs coming through replacing children leaving with lower level need by comparison. Also increased cost from creating a needed local ASD provision
- Increased Alternative Provision costs currently being temporarily addressed by ETHOS MAT at the request of the local authority
- Independent specialist placement costs – rising costs in terms of the number of placements and costs per place as supply exceeds demand
- Rising numbers of high needs students in the post-16 and FE sectors as a result of the extension of high needs responsibilities to the age of 25 (without a matching increase in funding being provided)

The meeting was asked for volunteers to sit on a task and finish group with relevant officers with the aim of devising a 10-point improvement plan to improve the efficiency and effectiveness of Kirklees' High Needs arrangements. It was suggested that one representative from each of the main school sectors would be sufficient. Paul Evans (Special Schools), Catherine Jubbs (Primary academy) and Martin Ridge (Alternative Provision) put themselves forward to participate. This leaves a space for a representative from the Secondary sector – a request will be made to the Kirklees High School Heads (KHSH) group.

## **8. Any other business**

No other business was raised.

## **9. Date and time of next meeting**

Friday 29<sup>th</sup> November 2019

10:00am start

Tolson Museum

## RETAINED BUDGETS

	2018-19 Budget £	2019-20 Budget £	Estimated 2020-21 Budget £
<b>CENTRAL SCHOOL SERVICES BLOCK</b>			
Servicing of Schools Forum	£31,000	£31,000	£31,000
Historic pension commitments	£170,400	£170,400	£170,400 *
School Admissions / Planning etc	£401,900	£401,900	£401,900
School Organisation & Planning	£139,600	£139,600	£139,600
School Reorganisation	£292,000	£292,000	£292,000
National Copyright Licence charge	£311,000	£323,500	£336,400 estimate
<u>Contributions to Combined Budgets: -</u>			
Former Education Services Grant-funded statutory and regulatory duties for all pupils educated within Kirklees	£994,800	£943,300	£843,000 balancing figure
<b>Retained DSG Total</b>	<b>£2,340,700</b>	<b>£2,301,700</b>	<b>£2,214,300</b> tbc
Compared to previous year		<b>-£39,000</b> phasing	<b>-£87,400</b> -£53,300 phasing * -£34,100 historic
<b>SCHOOL GROWTH PROVISION</b>			
Pupil Growth Fund	£600,000	£600,000	£600,000
Falling Rolls Fund	£50,000	£0	£0
Retained formularised growth		£698,500	£698,500 tbc
<b>Retained Growth total</b>	<b>£650,000</b>	<b>£1,298,500</b>	<b>£1,298,500</b> tbc
Funded growth allocation		£1,764,600	tbc

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**DE-DELEGATION FOR MAINTAINED SCHOOLS**

BUDGET HEADING	Description of the Service / Arrangement	Primary maintained		Secondary maintained	
		2019-20 per pupil £	Total de- del in 2019- 20	2019-20 per pupil £	Total de- del in 2019- 20
<b>Schools Contingency</b>	The Education & Skills Funding Agency stipulate a number of circumstances in which support from a Contingency fund can be released: - To correct errors To support schools in cases of emergency To pick up costs that it would be unfair to ask schools themselves to bear (Rates reveals, empty Council Tax) To pay for one-off interventions in schools in financial difficulty to help them secure necessary savings, eg severance costs	-£13.29	£411,700	-£16.65	£143,000
<b>Free School Meals Eligibility Checks</b>  [Academies can purchase]	The Council's Customer & Exchequer Services provide a free school meals eligibility checking service for schools using data held on benefits entitlements to ensure that as many children who are entitled to FSM for benefits-related reasons can be properly identified within pupil census returns. This helps schools to maximise both Pupil Premium income and the FSM Deprivation support factor within the Schools Funding Formula.	-£1.03	£31,900	-£1.29	£11,100
<b>Maternity/Paternity/Adoptive Leaves</b>	The pooled funding here meets the costs of payments made to staff during these periods of leave. The employing school then is responsible for any costs incurred in covering the post during the maternity (etc) period. For paternity leave though the reverse is true - the school continues to pay their member of staff and the cost of cover used during the leave period is charged to the pooled funding account.	-£29.32	£908,200	-£29.32	£251,900
<b>Trade Union Duties</b>  [Academies can purchase] [Maintained Secondaries purchase on an individual basis]	The combined de-delegation (for maintained primary schools) and traded arrangement for all other sectors provides for local school branch TU officials to manage individual casework (eg competence, attendance, disciplinary issues) across schools and to negotiate on issues affecting schools eg processes for managing attendance, performance management framework etc). If these local facilities time arrangements were not in place there would be knock-on effects for schools in agreeing time off for trade union representatives in school to engage in union activity and a need to involve regional union officials in individual casework.	-£5.72	£177,200	Nil	£0
<b>Public Duties</b>	This de-delegated fund covers school staff for the following types of "public duty": - Jury Service Staff being called as a witness in court proceedings Time off for staff serving as magistrates Release time for staff serving on another school's governing body (eg for participating in a recruitment process) Schools can claim reimbursement for relief cover used in such circumstances	-£0.16	£5,000	-£0.20	£1,700
<b>International New Arrivals</b>  [Academies can purchase]	The International New Arrivals Service supports the integration into schools of children arriving from all over the world. Support is targeted for children having little or no English but not for those children joining schools where established communities exist and support systems are already in place. The Service employs curriculum support assistants and a family liaison worker who have East European language competency. Support is allocated following referrals from the Single Point of Referral Panel. Courses on meeting the needs of INA children are offered and school-to-school support for schools taking children from a particular language background for the first time is brokered from other schools more used to dealing with children from that background.	-£1.58	£49,000	-£1.98	£17,000
<b>School Improvement Commissioning</b>  [Academies can participate]	The fund is used to support improvement interventions in schools - includes financial support (where appropriate) for the cost of implementing school action plans, brokering school-to-school support by meeting the cost of release of staff from other schools to work with the school in need of support. This funding is spent directly for the benefit of schools and not on Local Authority Statutory Duties.	-£4.50	£139,400	-£12.01	£103,200

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**Table 6: Former ESG duties may be funded from centrally retained schools block funding**

ESG DUTIES	
Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
<p><b><u>Statutory and Regulatory duties</u></b></p> <p>Director of children’s services and personal staff for director (Sch 1, 20a)</p> <p>Planning for the education service as a whole (Sch 1, 20b)</p> <p>Revenue budget preparation, preparation of information on income and expenditure relating to education, and external audit relating to education (Sch 1, 20d)</p> <p>Administration of grants (Sch 1, 20e)</p> <p>Authorisation and monitoring of expenditure not met from schools’ budget shares (Sch 1, 20fi)</p> <p>Formulation and review of local authority schools funding formula (Sch 1, 20g)</p> <p>Internal audit and other tasks related to the authority’s chief finance officer’s responsibilities under Section 151 of LGA</p>	<p><b><u>Statutory and Regulatory duties</u></b></p> <p>Functions of LA related to best value and provision of advice to governing bodies in procuring goods and services (Sch 1, 20c)</p> <p>Budgeting and accounting functions relating to maintained schools (Sch 1, 20d)</p> <p>Functions relating to the financing of maintained schools (Sch 1, 20e)</p> <p>Authorisation and monitoring of expenditure in respect of schools which do not have delegated budgets, and related financial administration (Sch 1, 20fii)</p> <p>Monitoring of compliance with requirements in relation to the scheme for financing schools and the provision of community facilities by governing bodies (Sch 1, 20h)</p> <p>Internal audit and other tasks related to the authority’s chief finance officer’s responsibilities</p>

## ESG DUTIES

Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
<p>1972 except duties specifically related to maintained schools (Sch 1, 20i)</p> <p>Consultation costs relating to non-staffing issues (Sch 1, 20r)</p> <p>Plans involving collaboration with other LA services or public/voluntary bodies (Sch 1, 20v)</p> <p>Standing Advisory Committees for Religious Education (SACREs) (Sch 1, 24)</p> <p>Provision of information to or at the request of the Crown other than relating specifically to maintained schools (Sch 1, 20w)</p>	<p>under Section 151 of LGA 1972 for maintained schools (Sch 1, 20i)</p> <p>Functions made under Section 44 of the 2002 Act (Consistent Financial Reporting) (Sch 1, 20j)</p> <p>Investigations of employees or potential employees, with or without remuneration to work at or for schools under the direct management of the headteacher or governing body (Sch 1, 20L)</p> <p>Functions related to local government pensions and administration of teachers' pensions in relation to staff working at maintained schools under the direct management of the headteacher or governing body (Sch 1, 20m)</p> <p>Retrospective membership of pension schemes where it would not be appropriate to expect a school to meet the cost (Sch 1, 20n)</p> <p>HR duties, including: advice to schools on the management of staff, pay alterations, conditions of service and composition/organisation of staff (Sch 1, 20o); determination of conditions of service for non-teaching staff (Sch 1, 20p); appointment or dismissal of employee functions (Sch 1, 20q)</p> <p>Consultation costs relating to staffing (Sch 1, 20r)</p> <p>Compliance with duties under Health and Safety at Work Act (Sch 1, 20s)</p> <p>Investigation and resolution of complaints relating to maintained schools (Sch 1, 20t)</p> <p>Provision of information to or at the request of the Crown relating to schools (Sch 1, 20w)</p> <p>School companies (Sch 1, 20x)</p>



## ESG DUTIES

Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
	<p>Functions under the Equality Act 2010 (Sch 1, 20y)</p> <p>Establish and maintaining computer systems, including data storage (Sch 1, 22)</p> <p>Appointment of governors and payment of governor expenses (Sch 1, 26)</p>
<b><u>Education Welfare</u></b>	<b><u>Education Welfare</u></b>
<p>Functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils (Sch 1, 10c)</p> <p>School attendance (Sch 1, 11)</p> <p>Responsibilities regarding the employment of children (Sch 1, 29)</p>	<p>Inspection of attendance registers (Sch1, 11)</p>
<b><u>Asset management</u></b>	<b><u>Asset management</u></b>
<p>Management of the LA's capital programme including preparation and review of an asset management plan, and negotiation and management of private finance transactions (Sch 1, 10a)</p> <p>General landlord duties for all buildings owned by the local authority, including those leased to academies</p>	<p>General landlord duties for all maintained schools (Sch 1, 10a (section 542(2) Education Act 1996; School Premises Regulations 2012) to ensure that school buildings have:</p> <ul style="list-style-type: none"> <li>• appropriate facilities for pupils and staff (including medical and accommodation)</li> <li>• the ability to sustain appropriate loads</li> <li>• reasonable weather resistance</li> <li>• safe escape routes</li> <li>• appropriate acoustic levels</li> <li>• lighting, heating and ventilation which meets the required standards</li> <li>• adequate water supplies and drainage</li> <li>• playing fields of the appropriate standards</li> </ul>

## ESG DUTIES

Responsibilities local authorities hold for all schools (funding may be retained centrally from all schools with agreement of schools forum)	Responsibilities local authorities hold for maintained schools (funding may be retained centrally from <u>maintained schools only</u> with agreement of schools forum)
	<p>General health and safety duty as an employer for employees and others who may be affected (Health and Safety at Work etc Act 1974).</p> <p>Management of the risk from asbestos in community school buildings (Control of Asbestos Regulations 2012).</p>
<p><b><u>Central support services</u></b></p> <p>No functions</p>	<p><b><u>Central support services</u></b></p> <p>Clothing grants (Sch 1, 10e)</p> <p>Provision of tuition in music, or on other music-related activities (Sch 1, 15)</p> <p>Visual, creative and performing arts (Sch 1, 16)</p> <p>Outdoor education centres (but not centres mainly for the provision of organised games, swimming or athletics) (Sch 1, 17)</p>
<p><b><u>Premature retirement and redundancy</u></b></p> <p>No functions</p>	<p><b><u>Premature retirement and redundancy</u></b></p> <p>Dismissal or premature retirement when costs cannot be charged to maintained schools (Sch 1, 25)</p>
<p><b><u>Monitoring national curriculum assessment</u></b></p> <p>No functions</p>	<p><b><u>Monitoring national curriculum assessment</u></b></p> <p>Monitoring of National Curriculum assessments (Sch 1, 23)</p>
<p><b><u>Therapies</u></b></p> <p>No functions</p> <p>Additional notes – see below</p>	<p><b><u>Therapies</u></b></p> <p>This will be covered in the high needs section of the regulations</p>

Services set out in the table above will also include overheads relating to these services (regulation 8(11) already refers to this for schedule 2 services) for:

- Ensuring payments are made in respect of taxation, national insurance and superannuation contributions (sch 1, 20e).
- Recruitment, training, continuing professional development, performance management and personnel management of staff (Sch 1, 20k)
- Investigations of employees or potential employees, with or without remuneration (Sch 1, 20l)
- Investigation and resolution of complaints (Sch 1, 20t)
- Legal services related to education functions (Sch 1, 20u)

References in the table above are to the schedules in the current version of the Schools and Early Years Finance (England) regulations.

[Extract is from the Education Funding Agency document “Schools revenue funding 2017 to 2018 – Operational guide” as updated November 2016 and published 1<sup>st</sup> December 2016]

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