



Wirral Schools Forum

Date:	Wednesday, 14 January 2015
Time:	6.00 pm
Venue:	Council Chamber, Wallasey Town Hall

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AGENDA

1. **MINUTES OF THE MEETING HELD ON 3RD DECEMBER 2014**
(Pages 1 - 4)
2. **MATTERS ARISING**
3. **SCHOOL FUNDING OUTCOME FROM LOCAL CONSULTATION**
(Pages 5 - 8)
4. **SCHOOL BUDGET REPORT 2015-16 (Pages 9 - 22)**
5. **DE-DELEGATION OF BUDGETS (Pages 23 - 26)**
6. **PUPIL PREMIUM 2014-15 AND ESTIMATE FOR 2015-16 (Pages 27 - 30)**
7. **HIGH NEEDS NATIONAL FORMULA - CALL FOR EVIDENCE**
(Pages 31 - 36)
8. **BUDGET MONITORING REPORT 2014-15 (Pages 37 - 40)**
9. **NEXT STEPS FOR FUNDING REFORM (Pages 41 - 50)**
10. **HOME TUITION SERVICE (Pages 51 - 54)**
11. **2 YEAR OLD UPDATE AND TAKE UP (Pages 55 - 58)**

- 12. JOB EVALUATION - SPECIAL SCHOOLS TA ARREARS UPDATE
(Pages 59 - 60)**
- 13. FORUM REPRESENTATION UPDATE (Pages 61 - 62)**
- 14. THE SCHOOL AND EARLY YEARS FINANCE (ENGLAND)
REGULATIONS 2014 (Pages 63 - 106)**
- 15. WORKPLAN (Pages 107 - 108)**
- 16. ANY OTHER BUSINESS**

WIRRAL SCHOOLS' FORUM

3RD DECEMBER 2014

MINUTES

Present: Richard Longster (Chair)

Schools Group

Councillor W Clements	M Morris
K Frost	M Walker
C Hughes	G Zsapka
L Ireland	M Jackson
D Marchant	K O'Neill-Edwards
B Jordan	A Moore
J Pierce	K Podmore
J Devine	S Davies

Non-Schools Group

Ian Harris

In Attendance:

S Dainty	A Roberts
J Hassall	P Ward
D Armstrong	

<u>Apologies:</u> C McGowan	B McGregor
J Pearson	D McDonald
P Young	G Pritchard
A Whiteley	E Cogan
S Duggan	B Cummings
S Peach	S McNamara
Cllr P A Smith	

1. Minutes from the Meeting Held on 8th October 2014

The minutes from the meeting were accepted as a true record.

2. Matters Arising

There were no matters arising from the minutes.

3. PFI and Central Budget Review

Members were updated on proposals to reduce central school budgets by £2.3m following a decision by the council to reduce its contribution to School PFI costs w.e.f 1.4.2015.

Since the last report a working group of the Forum met to consider this item, taking account of comments from Service Managers for School Intervention, City Learning Centres (CLCs), Planned Programmed Maintenance and High Needs. Members have since met in Headteacher Cluster groups and again on 27th November. Whilst there was some agreement to proposals at this meeting, there was also discussion about any other alternatives and the use of reserves. There was, however, no clear view in the group about any alternative proposals.

The Forum's view on each item proposed in the report was as follows:

Admissions £23,600 – no comment

School Closure/Retirement £200,000 – no comment

School Sports Co-ordinator £25,000 – Members would like further details describing how this money is currently spent.

School Intervention £180,000 – this is a service valued by all school representatives on the Forum. Members requested that school intervention is not cut any further, commenting that other areas should be considered instead.

CLCs £120,000 – the secondary representative commented that the CLCs should close, whilst primary members supported giving the CLCs another year to restructure. The proposal to transfer £120,000 funding into the Capital Programme was agreed.

LACES £45,000 – no comment.

Clinical waste £11,600 and swimming baths £19,800 – no comment.

PPM £200,000 – no comment.

Insurance £25,000 – no comment.

SEN Top Ups £600,000 – The Special Schools' Member commented that there were serious concerns regarding this proposal, that the current budgets in special schools were insufficient to meet the needs of the SEN population and top up rates fall below neighbouring authorities. This contingency should be used for the purposes intended and to meet the growing pressure from increasing costs and complexity of pupils.

Members subsequently discussed the overall level of the High Needs Budget in relation to funding received from the Education Funding Agency (EFA) and the background to the High Needs contingency. It was agreed that this area would be reconsidered alongside any alternatives.

Resolved

The Forum Working Party would reconvene prior to the main budget meeting to consider proposals and any alternatives for:

School Intervention
School Sports Co-ordination
SEN Top Ups

4. Consultation in the Local Funding Formula

Schools have been consulted on some minor changes to the Local Funding Formula:-

- To increase funding for Looked After Children
- To cap increases in the unit rate used for deprivation
- To amend the Top Up funding for Alternative Provision

The consultation ran for 4 weeks and closed on 21st November. There has been only a limited response.

Resolved

That the consultation is extended until the end of term and reported to the next meeting.

5. Any other Business

No other business was reported. The meeting closed.

The Forum Working Party will meet on 6th January 2015 at 1.30 pm at Birkenhead Town Hall.

The Schools' Forum Budget meeting is on 14th January 2015 at 6.00 pm in the Council Chamber, Wallasey Town Hall

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WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

OUTCOME OF SCHOOL FUNDING FORMULA CONSULTATION 2015-16

1. EXECUTIVE SUMMARY

- 1.1 This report summarises the responses received to the School Formula Funding consultation. The consultation commenced on 24th October 2014 and concluded at the end of the Autumn term.
- 1.2 The report makes recommendations in respect of the school funding formula to be used in 2015-16 and applies to all Wirral maintained and academy mainstream schools. In accordance with Schools Forum Regulations these decisions are proposed and decided by the Local Authority, but members of the Forum must be consulted. Only school members may vote on this item.

2. Background

- 2.1 The school funding formula was amended in 2014-15 to take account of:

- Changes in data for Prior Attainment and English as an Additional Language
- Increases in the funding for Looked After Children
- The delegation of Free School Milk

The current proposals that are being considered have arisen from work with the Schools Forum Funding Working Party and a report to the Forum in July 2014. This report set out the local changes to consider for 2015-16 and the views of schools.

In total 34 responses have been received, 26 primary schools, 5 secondary / academy schools and 3 that are not known. This is a relatively low response, despite the consultation having been extended. However the proposals have been discussed in detail by Headteachers at Primary Cluster meetings last term and at WASH.

3. Proposals / Consultation questions

3.1 Low Cost High Incidence SEN (LCHI)

Wirral allocates all funding in this area through Prior Attainment data (Early Years Foundation Stage Profile and Level 4 English or Maths). Many local authorities allocate a higher amount and include a proportion of deprivation, AWPU and Lump Sum funding to this area.

The view of the Forum that no further action be taken at this time was endorsed by those who responded.

3.2 Looked After Children

The funding formula redistributed some deprivation funding last year (£225,000) to increase the overall amount allocated to Looked After Children. The basis for the decision was to target additional resources in this area, taking account of additional needs and attainment.

The proposal is to equalise the level of funding for each looked after child with the average funding allocated for deprivation. This comparison should also take account of funding allocated through the Pupil Premium. Funding would be equalised at about £3,400.

Most responses supported this proposal. It is therefore recommended that the School Funding Formula is changed on this basis for 2015-16.

3.3 Deprivation

There is an amount of £20.3m in the local formula (11% of the Schools Budget) which is provided for deprivation. With the inclusion of the FSM Pupil Premium of £15.2m this rises to £35.5m (18%). There are 7,777 pupils (aged 4 – 15) registered for Free School Meals, 18.3% of the school population (in 2014-15 this figure was 8,237 or 19.5%).

The current deprivation funding compared to AWPU is as follows:

	AWPU	Deprivation	Pupil Premium
	£	£	£
Primary	2,753	2,100	1,300
Secondary KS3	3,931	2,514	1,300
Secondary KS4	5,049	2,514	1,300

There are a number of factors to take into account:

- The numbers of FSM's have reduced since 2011; however the amount per FSM pupil has and will continue to increase. During this time the Pupil Premium was introduced to target additional funding.
- Had this cap been introduced in 2014-15 this would have reallocated £0.8m into AWPU.
- Although levels of FSM have reduced this may not be matched by other measures of deprivation. The attainment gap is wide and widens further at KS3 and KS4.
- Some LA's allocate deprivation funding using Ever 6 which is a broader distribution of funding for more pupils.
- A reallocation/reduction in deprivation amounts would provide some schools with additional funding, by reducing allocations to others. At a time of little or no extra resources this may create some instability within the formula.
- The view of the Forum 12 months ago was that there should be no changes to this area.
- It would be possible to cap the unit value of a FSM.

Schools were asked their views on the introduction of a cap in the amount allocated per FSM to prevent any further increases in the unit value. This would mean that deprivation funding for a school with stable FSM numbers would be unaffected. Those with falling FSM's would always receive less deprivation funding, but any subsequent redistribution would be made through AWPU. This would mean that the schools with the largest pupil numbers would benefit the most.

Responses indicated that 19 schools supported the change whilst 15 did not. It is recommended that the change is introduced in 2015-16 but that the impact is reviewed before agreeing its further use in future years.

3.4 Key Stage 3 and Key Stage 4 AWPU

Schools were asked if they had any views about equalising the rates for KS3 and KS4 AWPU in secondary schools. Schools supported the view that no action is taken at this time.

4. Conclusion

The responses from the School Funding Consultation support the proposed changes to the School Funding Formula for 2015-16.

- 4.1 There should be no change to the formula element for Low Cost High Incidence (LCHI) SEN.
- 4.2 Deprivation funding should be top sliced and LAC funding should be increased to a comparable level per pupil.
- 4.3 The level of deprivation funding should be capped at the 2014-15 adjusted level and the decision reviewed before agreeing its use in future years.
- 4.4 No action is taken at this time to equalise Key Stage 3 and 4 funding.

5. Recommendation

- 5.1 That members endorse the changes described to the School Funding Formula for 2015-16.

Julia Hassall
Director of Children's Services

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WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM

14TH JANUARY 2015

SUBJECT:	SCHOOLS BUDGET 2015-16
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF CHILDREN'S SERVICES
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

- 1.1 This report outlines the Schools Budget for 2015-16 and describes the financial changes to be considered by the Forum and Cabinet. The Forum are asked for their views on the proposed budget of £242,576,100 for early years, maintained schools, academies, colleges and providers for the coming year.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The Schools Funding Allocations were issued by the Department for Education on 17th December 2014. The national basis of the Dedicated Schools Grant (DSG) is the "Spend Plus" methodology introduced in 2006, adjusted in some cases for a Minimum Funding Level (MFL). The MFL has been introduced for the first time in 2015-16 as a means to target additional funding to those authorities that fund schools below average for a number of pupil related formula factors. Wirral is not one of those authorities; therefore DSG is based on amounts per pupil paid in previous years.

Within DSG there are four unringfenced spending blocks for each authority:

- Early Years Block
- Schools Block
- High Needs Block
- Other (NQT induction)

2.2 2015-16 Pupil Premium £17.6m

In addition to DSG all schools receive a Pupil Premium providing funding targeted to deprived pupils. Now in its fifth year the changes for Pupil Premium in 2015-16 are summarised below:

- From 1st April schools, nurseries, private voluntary and independent providers and childminders will be entitled to a Pupil Premium of £300 pa for each 3 and 4 year old child from a low income family. Wirral's indicative allocation is £357,000.

- The Pupil Premium rates in schools for pupils who are or have been eligible for Free School Meals (FSM) at any point in the last six years are:
Primary school - £1,320 (last year £1,300).
Secondary school - £935 (unchanged)
- The rate for each Looked After Child or child that has been adopted since December 2005 is £1,900 (unchanged)
- The rate for each child of a parent in the Armed Forces is £300 (unchanged).

Final allocations will be based on data collected in the January census for current numbers of FSM's (and those over the previous 5 years) and LAC Census data collected in March 2015.

2.3 Dedicated Schools Grant (DSG) £241m

- 2.3.1 DSG is made up of four unringfenced blocks. These funding blocks indicate the levels of expenditure anticipated for each authority, however local spending decisions can and will reallocate resources according to needs and priorities, this continues to be the case.
- 2.3.2 The allocations for Schools and Early Years funding blocks are updated for changes in pupil numbers. Pupil numbers for the Schools Block are those recorded in the October 2014 census, whereas Early Years Funding is a combination of the census in January 2015 and January 2016. The dates for the Early Years Census mean that the exact DSG will not be finalised until June 2016. The Early Years grant used for the 2015-16 Schools Budget will be based on the current indicative figures (using the January 2014 census).
- 2.3.3 From 2015-16 funding for 2 year olds will also be determined by census data in the same way as Early Years. In this first year there will be an additional count in Autumn, to take account of additional numbers as take up increases in local authorities following the recent policy change.
- 2.3.4 The High Needs Block provides an allocation for funding of all high needs students aged 0 – 24, including the Hospital School. In previous years the block has been updated for changes requested in High Needs place numbers. This will not be the case in 2015-16. The EFA signalled an intention earlier in 2014 to roll forward the place numbers used in 2014-15 to 2015-16, adjusting only where there is an exceptional need.
- 2.3.5 The Blocks in their current format can be summarised as follows:

	Block	Pupil Numbers	Funding Per Pupil £	Allocation £
1.	Schools Block	41,322	4,539.60	187,585,400
2.	Birkenhead Girls Academy			3,656,000
3.	Early Years Block	2,992	3,816.57	11,419,200
	2 Year Old funding		.	4,347,100
	Early Years Pupil Premium			357,000
4.	High Needs Block			33,818,000
5.	NQT induction			62,000
Total				<u>241,244,700</u>

Notes:

1. Schools Block pupil numbers include academies. Numbers have been adjusted for additional pupils arriving in reception between October and January (the Reception Uplift) and for places in SEN bases. The pupil funding rate of £4,539.60 has been reduced by £7.51 compared to 2014-15. This replaces a charge for Carbon Reduction. The reduction is the equivalent of £310,000 compared to £270,000 in 2014-15.
2. In 2015-16 funding for Birkenhead Girls Academy will be included within Wirral's overall DSG. This marks a policy change by the DfE, whereby funding for all academy and Free Schools are included in the grant given to each Local Authority. For Wirral the sum of £3.6m is being included in DSG based on school data used for 2015-16 allocations.

The existing arrangement whereby the EFA then recoups the equivalent budget from DSG to pay academies and Free Schools is unaffected.

3. Early Years pupils are based on the January 2014 census
2 Year old Funding uses estimated numbers, and provides for growth in take up.
4. High Needs Block includes all funding (both pre and post 16) for pupils in Schools and top up funding only for High Needs students aged 16-24 in Further Education or placed with Independent Special Providers.

2.3.6 Schools Block £191m

This funding covers the delegated budgets to mainstream schools and academies (totalling £187m in the appendix attached). In addition the block funds a number of budgets that are managed centrally on behalf of schools:

- Admissions
- Schools Forum
- Capital Expenditure from Revenue (PPM and PFI costs)
- Contributions to combined budgets
- Schools budget retirement costs (school closure)
- School Licences

In line with national guidance and with the exception of PFI, these budgets have not been increased and in relation to the contributions to combined budgets have decreased from £2.3m to £2.1m.

2.3.7 Early Years Block £15m

This Block funds the costs of Early Years Education for 2, 3 and 4 year old children in schools, nurseries and private voluntary and independent providers. Most of this funding is directed through the Early Years Single Funding Formula (EYSFF). There is a small element covering SEN costs in Early Years and some central support costs.

2.3.8 High Needs Block £34m

The make up of this block is complex. It is based on the "place plus" system introduced by the DfE from April 2013 and includes:

- Special schools (pre and post 16), school bases and independent non-maintained special schools. All receive a base level funding of £10,000 per.
- Alternative Provision Bases and EMAP. In line with Regulations the funding for each place will increase to £10,000 from September 2015.
- Additional funding over and above that provided for places will be paid in the form of “top ups”. These will be provided on a per pupil basis. The top up, or “plus” element of funding, takes account of the agreed assessed needs of pupils and is paid by the “commissioner” responsible; this may be Wirral Children’s Services, a school or another Local Authority. On Wirral in 2014-15 a new banded top up system (with 5 bands) was introduced and used to allocate funding to special schools, resourced based and alternative provision.
- The costs of Top Ups for all education and training for post 16 specialist provision for Learners with Learning Difficulties or Disabilities (LLDD) in colleges and private providers.
- The Hospital Schools budget

2.3.9 Other Block

This funding reflects costs of monitoring and quality assuring Newly Qualified Teacher induction.

2.4 Academies

Currently there are 15 secondary academies and 2 primary academies. In addition there are 2 academy conversions anticipated before the end of the financial year, 1 secondary and 1 alternative provision. Academies are independent from the local authority and are funded directly from the EFA, however Regulations require Wirral to continue to calculate their budgets in order to determine the total grant reduction. For Wirral this is estimated to be £67m in 2015-16.

2.5 Minimum Funding Guarantee (MFG)

The MFG will continue in 2015-16, protecting schools from formula changes and changes in pupil data. The MFG rate remains at minus 1.5%. It is likely that the MFG will continue for some time and will be part of future funding reforms.

2.6 2015-16 Budget Changes

Reduction in Council Contribution to the costs of PFI of £1.7m

There have been a number of reports to the Schools Forum during the year on the Council’s decision to reduce its contribution to the costs of the 9 school PFI agreement by £2.3m (the PFI Affordability Gap). The amounts that have been reduced are £0.6m in 2014-15 and £1.7m in 2015-16. In 2014-15 the saving required was found by using one off reserves. In 2015-16 a more permanent solution is required for the full £2.3m.

Proposals have been considered by a Forum Working Party and were reported to the last meeting. The potential and revised areas for reduction are as follows:

Proposed 2015-16 Schools Budget savings £2.3m

	Original Proposal £	Revised Proposal £
School Pay Harmonisation	450,000	450,000
School Closure Costs	200,000	200,000
Planned Programmed Maintenance	200,000	200,000
Admissions	23,600	23,600
Schools Sports Coordinator	25,000	25,000
School Intervention	180,000	-
City Learning Centres	120,000	120,000
LACES	45,000	45,000
Clinical Waste Disposal	11,600	11,600
Use of Swimming Baths	19,800	19,800
School Governor Liability Insurance	25,000	25,000
SEN Top Ups / contingency	600,000	400,000
Statements	200,000	200,000
Support for SEN	200,000	250,000
Headroom from school falling rolls	-	330,000
	2,300,000	2,300,000

In the case of School Intervention £180,000 and SEN Top Ups £600,000, members asked that proposals were reconsidered alongside any alternatives. The scope to make further adjustments is limited. There is some agreement that any reductions should be made without impacting on existing delegated school budgets; that centrally managed budgets should be reduced first and that the future spending plans should broadly reflect DSG funding blocks.

With this in mind the final proposals take account of a small amount of Headroom within the budget. This “growth” arises from a difference between the pupil funding received in DSG for rising primary rolls and the primary funding allocated within the ISB. Allowing for the net overall increase in Business Rates and the increase needed for the Carbon Charge adjustment, there is a balance of £330,000 which can be used to meet PFI costs, allowing for the savings to be adjusted as shown in the table above.

2.6.1 Primary, Secondary and Academy Budgets £187m

The significant changes within this area are:

- Net change in school rolls, resulting in an overall reduction of £60,600. There are 69 more pupil on roll in October 2014 compared to October 2013. The estimated secondary numbers for pupils aged 11-15 have reduced from 16,834 to 16,655 (a 1% reduction). There is an increase in primary numbers from 24,668 to 24,916 (a 1% increase). The overall reduction arises from the secondary funding per pupil being higher than primary schools.
- A top slice for an expansion of national copyright licences £80,000cr
- Headroom £80,400. There is a small balance available after the adjustments arising from PFI of £330,000.

- An increase in rates payable of £6,500. There has been a large revaluation in rates for Pensby and Park Primary schools and an overall 2% price increase. Offsetting this is a reduction in rates costs for schools who convert to an academy.

As in 2014-15 the Primary and Secondary school budgets continue to be supported by reserves totalling £732,500. The nature of reserves are one-off balances, schools should not therefore plan for these additional sums beyond a further year

2.6.2 **6th Form Funding**

The Schools Budget includes funding for High Needs students in 6th Forms. All other post 16 funding is through the National Formula. The EFA have indicated that they have no plans to make any additional changes to the formula other than those already agreed.

The 6th Form formula is based on lagged learner numbers to which a national rate is applied for each student. This rate is weighted for study programme costs and student retention. There are additional amounts for disadvantage and Additional Learning Support (ALS).

The National Funding Rate will be confirmed in January. It is anticipated that schools will be informed of their allocations for the academic year 2015-16 in February. The Transitional Protection following the equalisation of School 6th Form funding ended in 2014-15, however the protection following formula changes introduced in 2013-14 will continue for a third and final year in 2015-16.

2.6.3 **High Needs Places £14.7m**

Guidance earlier in the year from the EFA indicated an intention to use the same High Needs Place Numbers in 2015-16 as was used in 2014-15. This would as a result defer the introduction of a "lagged" funding system for places where school census and individual learner records would be used from the previous October.

For an authority to request any change in High Needs place numbers in 2015-16, the change had to be significant and be supported by a business case. Although this information was submitted by Wirral to make a number of changes the application did not meet thresholds laid out by the EFA and was not therefore approved.

Locally there are still grounds to consider increasing places in special schools and these are recommended as follows:

Kilgarth increase by 5 places to 55

Observatory School increase by 5 places to 55

Elleray Park increase by 9 places to 99

Stanley increase by 9 places to 99

The requested increase Orrets Meadow places from 66 to 72 should be deferred at this time, enabling additional resources to be focussed on ASD provision at the school

The place number changes described above would cost an additional £163,400 for a part year in 2015-16 and £280,000 for a full year. The budget is based on this being funded from school reserves until a lagged system is introduced.

No changes are proposed to the Hospital School at this point in time. The business case submitted requested an increase of 40 places to 120 and additional funding of

£227,000. As this was not approved there will be further discussion with the EFA in order to better understand their position.

The other significant High Needs change in 2015-16 is the place funding for Alternative Provision. From September 2015 this will increase from £8,000 to £10,000. No additional funding has been provided nationally for this, since the change is intended to be cost neutral, from a matching reduction in the value of top ups paid. There are 96 Alternative Provision places in total, 80 at EMAP and 8 in each of the 2 primary bases. The change will result in an increase in place funding of £112,000 part year and £192,000 in a full year.

2.6.4 Early Years £15.4m

The main change within this budget is the introduction of a Pupil Premium for 3 and 4 year olds which has been mentioned previously and the inclusion of funding for 2 year olds on the basis of headcount data in January / Autumn 2015 and January 2016.

The DfE anticipate there are 1,846 2 year olds who are eligible to receive Early Education. 1,846 is about 50% of the total number of 2 year olds on Wirral. Take up in this area is still increasing. The budget is based on 1,177 pupils in January building up to 1,846 in January 2016.

There are no changes planned to the rates or bands within the Early Years Single Funding Formula or the formula funding 2 year olds in 2015-16.

2.6.5 SEN Top Ups £16.6m

The proposed budget for SEN Top Ups is £16.6m. There is an increase / growth within the High Needs DSG Block of £272,000. Some further information is needed from the EFA to confirm adjustments. Initially however growth has been allocated to increased numbers arising from Top Ups, Independent Special Schools and Home Tuition as set out below.

SEN Top Ups 2015/16

Statements	Early Years	292,200
	Primary	1,325,700
	Secondary (including 6th Forms)	1,998,300
	Exceptional Need	449,200
	Other	383,100
Top Ups	Special Schools (and 6th Forms)	6,141,200
	Independent Non Maintained Special Schools	3,383,300
	Home Teaching	301,400
	EMAP/WASP	420,800
	SEN units - resourced and alternative provision	629,400
	Support costs	11,700
	Further Education, 6th Form College and other providers	742,700
	Contingency	500,000
	Total	16,579,000

Changes in costs which have been identified as part of the budget review are:

- **Special Schools and EMAP.** The top up budgets have been increased by £180,900, reflecting additional numbers at Stanley, Kilgarth, Gilbrook and EMAP together with changes in ASD provision at Orrets Meadow and Claremount.
- **Statements.** A net reduction of £200,000. The budget anticipates that the numbers in the current year will continue into 2015-16
- **Independent Special Schools.** A small increase of £88,100. The budget anticipates maintaining 92 placements
- **Further Education and 6th Form College.** No change to the overall provision of £742,700
- **Home Teaching.** As indicated elsewhere on the agenda this budget faces increased demand for services resulting in additional teaching hours. The increase in budget recommended of £50,000 to £301,400 will also require a review of charges during the year.
- **Contingency.** The contingency of £500,000 is required to cover the potential costs of:
 - Any unforeseen consequences arising from top ups, exceptional cases or the review of High Needs.
 - Any mismatch between provider places and places taken up.
 - Inflationary pressures within Non Maintained Special Schools.

As indicated there are some areas that require further clarification with the EFA in respect of place numbers and the Hospital School. The area will be kept under review and changes / updates to the budget will be the subject of future reports.

2.6.6 Use of Reserves

There are a number of DSG reserves held totalling £4.1m at 31st March 2014. These were agreed as part of the year end accounts for 2013-14 and reported to the Forum in July. The Schools Budget for 2014-15 planned to use £1.9m of these.

In 2015-16 £894,900 of reserves will be used. This commits most of the DSG underspend carried forward from 2013-14.

The remaining reserves are committed to the costs of pay harmonisation, contingencies and Early Years.

3.0 INFLATION

- 3.1 No direct provision is included within the budget for pay awards. At this stage a 1% award for teaching staff is anticipated, together with an increase in Teachers Pension contributions from 14.1% to 16.4%. The 2.2% pay award for non-teaching staff was implemented in January. The additional costs arising from these changes in schools will need to be met from existing school budgets.

There is no general provision for price inflation, although costs for rates within the schools budget have been increased and the central PFI budget continues to reflect RPI increases.

4.0 CENTRALLY HELD SCHOOL BUDGETS

- 4.1 The budgets held for Contingency, Special Staff (maternity and trade union duties), the School Library Service, Insurance (Governors Aided), Behaviour Support and the

Minority Ethnic Achievement Service have been delegated to schools. A decision is required for any de-delegation of these areas (separately by maintained primary and secondary Forum representatives only).

The remaining centrally held budgets for 2015-16 cover:

- the continuing premature retirement costs of teachers and staff that have arisen from closing schools (£126,000)
- the cost of licences for copyright and music in all schools and academies (resulting from a national agreement) (£250,000)
- School Admissions (£341,800)
- Planned Programmed Maintenance (PPM £249,000)
- The PFI Affordability Gap (£2,736,500)
- Contributions to combined budgets (£2,114,800).
- Schools Forum £10,600
- Early Years £405,300

4.2 School Admissions (£341,800)

This budget is required to meet the costs of supporting and administering the authority's school admissions scheme (including the 11 plus). Savings of £23,600 have been identified in this budget.

4.5 Planned Programmed Maintenance (£249,000)

This resource supports the health and safety and maintenance of school buildings, grounds and equipment. It also pays for minor repairs and emergencies. The budget has been reduced by £200,000 in 2015-16.

4.6 PFI Affordability Gap (£2,736,500)

The funding gap for the council's 9 school PFI scheme is £2,736,500 (an increase of £150,000 compared to 2014-15). The affordability gap is the shortfall between the costs of the PFI contract £11.2m and the combined government grant of £5.5m and school contributions received of £3.0m. The gap increases each year in line with the contract inflation clause.

4.7 School Copyright licences (£250,000)

The DfE purchases a single national licence for all state funded schools. Licences cover area such as the Copyright Licence Agency, the Education Recording Agency, a School Printed Music Licence. Next year this will also cover the costs of 4 other areas including the Performing Rights Society.

Guidance indicates that overall costs will increase by £100,000 to £250,000

4.8 Contributions to Combined Budgets

School Funding Regulations continue to allow contributions to support services that would otherwise fall outside the Schools Budget. These budgets combine with other council resources for the educational benefit of children.

Regulations state that there must be no new commitments or increases in expenditure from that in 2012-13.

The budgets in this area are shown below:-

- **Discretionary Rate Relief £106,600**
This budget funds continuing costs for Discretionary rate Relief in Voluntary Aided schools.
- **School Improvement £359,900**
This sum is the former match funding for the Primary and Secondary Strategy Coordination programme. It supports the funding of a number of consultant teachers who work with schools, together with training and the resourcing of equipment and facilities.
- **Local Safeguarding Children's Board £30,000**
The LSCB provides governance of child protection arrangements, undertakes serious case reviews, training and employs a Designated Officer for Allegations. The Board is funded from partner organisations including Social Care, Schools, Police, Health and Probation. The £30,000 contribution from the Central Schools Budget matches the amount received from Health.
- **School Intervention £674,500**
This budget provides additional funding within School Improvement to meet priorities in targeted schools during the year.
- **City Learning Centres £694,700**
The 3 City Learning Centres have a combined budget of £814,700 of which £120,000 is from the Council's capital programme to upgrade large, high value, high spec equipment.
- **LACES £140,500**
The service reviews the educational progress of Looked After Children, provides training to staff and some direct support to pupils. The contribution has been reduced by £45,000 in 2015-16.
- **Miscellaneous £108,600**
These amounts support the Governors Forum, school swimming baths, school wellbeing, the School Staff Survey and the PFI Support Team

Combined Budget Summary	£
Discretionary Rate Relief top ups	106,600
School Improvement	359,900
LSCB Contribution	30,000
School Intervention	674,500
City Learning Centres	694,700
LACES	140,500
Wellbeing and School Staff Surveys	44,600
Governors Forum	2,200
PFI Support Team	61,800
Total	2,114,800

The equivalent budget in 2014-15 was £2,336,200

5.0 Budget Timetable

- 5.1 The Schools Budget and advice from the Forum will be considered by Cabinet on 10th February 2015.

6.0 FINANCIAL IMPLICATIONS

- 6.1 The budget for 2015-16 is compiled from the base budget for 2014-15 approved by Council on 10th March 2014 and updated for any issues identified in this report.

The projected budget (DSG and council contribution) is £242,576,100 and is shown in Appendix 1.

7.0 RECOMMENDATIONS

- i) That the views of the Schools Forum are sought on the Schools Budget for 2015-16.
- ii) That the contributions to combined budgets are agreed.
- iii) That the proposed reductions totalling £2.3m (£1.7m in 2015-16) are agreed.
- iv) The High Needs Contingency totalling £500,000 is agreed.
- v) That the reserves totalling £894,900 used to set the Schools Budget are agreed.
- vii) The Schools Budget and views of the Schools Forum be referred to the budget meeting of Cabinet on 10th February 2015.

Julia Hassall
Director of Children's Services

Schools Budget Summary**2015-16**

	£000
Dedicated Schools Grant	241,245
Use of DSG and other reserves	895
Total Grant Funding	242,140
 Schools Budget Base Expenditure	 179,153
Add back 2014-15 Academy and High Needs baseline	61,444
Increase top slice for Carbon costs	40
Top slice for School Licences	100
	240,737
 Change in ISB costs	
Net falling rolls	(61)
Net Headroom / growth	410
Transfer Birkenhead Girls Academy	3,656
Transfer re additional licence costs	(80)
Early Years provision for 2 year olds	(596)
Early Years Pupil Premium	357
	3,686
 Changes in SEN / High Needs Costs	
Increase in Special School Places	163
Reduction in Resources Base places (FYE)	(50)
Special School / EMAP top ups	181
Independent Special School Top Ups	88
Home Tuition Service	50
SEN Support	(10)
High Needs Contingency	(105)
	317
 Other Changes in Central Costs	
Increase (inflation) re PFI contracts	150
Reduced Council Contribution	(2,300)
Other	(13)
	(2,163)
 Total Schools Expenditure	 242,577
 Net Schools Budget	 437

EDUCATION - SCHOOLS

	Base Estimate 2014-15 £	Base Estimate 2015-16 £
Individual Schools Budget		
Primary Schools	92,497,800	96,985,000
Secondary Schools	30,618,500	89,652,800
Special Schools	8,500,300	9,793,400
SEN Bases	2,006,000	2,816,800
EMAP (formerly WASP)	640,000	733,400
Wirral Hospital Schools	1,352,300	1,352,300
Early Years	15,551,000	15,406,500
Individual Schools Budget Total	151,165,900	216,740,200
Central School Costs		
Early Years	489,700	405,300
Admissions	365,400	341,800
School closure / retirement costs	326,000	126,000
Licences and subscriptions	152,000	250,000
Schools Forum	10,600	10,600
School Harmonisation costs	450,000	-
Contribution to Combined Budgets	2,336,200	2,114,800
PPM	449,000	249,000
PFI Affordability Gap	2,586,500	2,736,500
Costs delegated to schools		
Library Service	195,000	-
Insurances	57,700	-
Minority Ethnic Achievement Service	260,400	-
School Specific Contingencies	107,500	-
Special Staff Costs	673,200	-
School Meals	13,900	-
Behaviour Support	96,500	-
High Needs Pupils		
Statements	4,648,500	4,448,500
SEN Top Ups	8,881,500	8,445,800
Independent Special Schools	3,295,200	3,383,300
Home Tuition	251,400	301,400
Indep School Places and Maintained 6th Forms		942,000
Support for SEN	2,282,700	2,022,700
Special School Transport	58,200	58,200
Non delegated School Costs Total	27,987,100	25,835,900
Total School and Central Costs	179,153,000	242,576,100
Dedicated Schools Grant Total	(175,835,000)	(241,244,700)
Use of Reserves	(1,331,500)	(894,900)
Grand Total	1,986,500	436,500

Note – Base Estimate 2014-15 is after academy recoupment

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WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM 14th JANUARY 2015

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

De-Delegation of School Budgets

1. EXECUTIVE SUMMARY

This report seeks a decision by Forum representatives of maintained schools on the possible de-delegation of a number of services to schools, where there is a preference to continue a central service.

2. BACKGROUND

In 2013-14 following DfE requirements a number of services were delegated to schools that were previously provided centrally by the LA. There are some areas where Schools Forum members, in their relevant phase, are able to decide, on behalf of their schools, that funding should be de-delegated and taken out of formula budgets before schools receive them. These amounts would then continue to be held centrally. Regulations provide for different decisions being made for each phase. The members eligible to vote are shown on the attached table.

3. BUDGETS FOR DE-DELEGATION

- **Contingency**
The budget for exceptional/unforeseen costs that it would be unreasonable for governing bodies to meet.
- **Special Staff Costs**
Teacher maternity, paternity and trade union facility costs for both teaching and non-teaching staff.
With regard to Trade Union Facility Time of £140,500, guidance confirms that representatives are entitled to reasonable paid time off during working hours to undertake Trade Union duties and relevant training. Wirral like many LA's has a local facility agreement in place. The budget for facility time includes non-teacher representation. Where funding is not de-delegated schools manage their own budget and make their own facility time arrangements.
- **School Library Service**
The provision of learning resources to schools, such as books, artefacts, posters and DVDs.
- **Insurance**
The cost of governor's liability to Aided schools.
- **Minority Ethnic Achievement Service (MEAS)**

A service supporting children and young people for whom English is not their first language.

- **Free School Meal (FSM) Eligibility**

The cost of administering the applications for FSMs.

- **Behaviour Support**

The cost of a small team working with Primary Schools and a number of embedded police in Wirral's secondary and special schools.

4. DECISIONS TAKEN IN 2014-15

In the January 2014 meeting members of the forum made the following decisions:-

- The Primary Forum Representatives agreed, unanimously, to de-delegate all of the budget areas.
- The Secondary Forum Representatives agreed to de-delegate all of the budget areas except for Trade Union facility time within Special Staff Costs.

5. SUMMARY OF BUDGETS FOR DE-DELEGATION

The tables below identify the budget for primary and secondary schools, how the budget is allocated through the formula and the amount per pupil deducted if it is de-delegated.

All budgets have increased compared to last year and reflect the inclusion of Birkenhead High School Academy, in accordance with the change in the Schools Funding Formula 2015-16.

Primary Budget	Amount Delegated £	Method of Delegation	*Amount per Pupil £	Average per School £ (300 pupils)
Contingency	93,900	Pupil	3.73	1,119
Special Staff Costs	543,400	Pupil	21.61	6,483
School Library Service	201,100	Pupil	8.00	2,400
Insurance	30,600	Pupil	1.22	366
MEAS	257,300	EAL	499.31	3,070
FSM Eligibility	10,200	FSM	2.13	122
Behaviour Support	62,400	SEN PA	12.06	745
Total	1,198,900			14,305

* Amount per pupil not yet confirmed.

Secondary Budget	Amount Delegated £	Method of Delegation	*Amount per Pupil £	Average per School £ (1,000 pupils)
Contingency	51,600	Pupil	3.03	3,030
Special Staff Costs	520,100	Pupil	30.52	30,520
Insurance	10,500	Pupil	0.62	620
MEAS	30,300	EAL	415.05	1,778
FSM Eligibility	8,900	FSM	3.07	523
Behaviour Support	77,500	SEN PA	22.16	4,548
Total	698,900			41,019

* Amount per pupil not yet confirmed.

RECOMMENDATIONS

1. The Primary Forum Representatives agree to de-delegate each of the following budgets for the financial year 2015-16:-
 - a. Contingency
 - b. Special Staff Costs
 - c. School Library Service
 - d. Insurance
 - e. MEAS
 - f. FSM eligibility
 - g. Behaviour support
2. The Secondary Forum Representatives agree to de-delegate each of the following budgets for the financial year 2015-16:-
 - a. Contingency
 - b. Special Staff Costs
 - c. Insurance
 - d. MEAS
 - e. FSM eligibility
 - f. Behaviour support

Julia Hassall
Director of Children's Services

Forum Members eligible to Vote

Primary Representatives

Gill Pritchard	Primary Headteacher	Oxton St Saviours
Mary Walker	Primary Headteacher	Portland Primary
Deborah Marchant	Primary Headteacher	Eastway
Jill Pearson	Primary Headteacher	Barnston Primary
Gill Zsapka	Primary Headteacher	Heygarth Primary
Matthew Brown	Primary Governor	Great Meols Primary
Audrey Moore	Primary Governor	Brookhurst Primary
Ken Frost	Primary Governor	New Brighton Primary
Lyn Ireland	Primary Governor	St Werburghs Catholic Primary
Janet Devine	Primary Governor	Hillside Primary

Secondary Representatives

Brian Jordan or Substitute	Secondary Headteacher	Bebington High School
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WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM – 14th JANUARY 2015

REPORT OF DIRECTOR OF CHILDREN'S SERVICES

PUPIL PREMIUM ALLOCATION 2015-16

1. EXECUTIVE SUMMARY

This report details the Pupil Premium received in the current financial year and also the basis of the grant to be paid in 2015-16.

2. Background

The Pupil Premium is distributed to schools for children eligible for Free School Meals (FSM), Service Children and Summer Schools. In addition there is a year 7 Catch up for current year 7 pupils who did not achieve level 4 in reading and/or maths. Pupil Premium Plus has extended payments to cover adopted children, Residence Orders and Special Guardianships. The Looked after Children (LAC) Pupil Premium is now allocated by the LACES Team and is based on set criteria.

In 2015-16 a Pupil Premium for 3 and 4 year olds will be introduced using similar eligibility criteria above.

3. Pupil Premium 2014-15

Free School Meals (£15.8m)

The Pupil Premium was set at £1,300 for Primary School children and £935 for secondary schools.

There are 13,852 ever 6 FSM pupils giving a grant to schools and academies of £15.8m. This is a reduction of 428 eligible pupils since last year.

Service Children (£67,800)

In 2014-15 Service Children Pupil Premium is based on 'Ever 4' which means eligible pupils will have been flagged as service children any time between January 2011 and the January 2014 census.

There are 226 Service Children at £300, totalling £67,800 as at December 2014. This is an increase of 66 eligible children since last year.

Summer School Pupil Premium (£176,500 excluding academies)

A provisional allocation of £250 per week per disadvantaged pupil was allocated to each eligible secondary school to run a summer school. Allocations were adjusted after confirmation the summer school took place and the number of places offered.

Eight Wirral Maintained schools took part, with a final grant of £167,750.

Year 7 Premium (figures not yet released)

The DfE will continue to provide Year 7 Catch up Premium for all maintained schools, special schools, PRUs, academies and free schools for pupils in the current Year 7

cohort who did not achieve level 4 in reading and/or maths. The amount will be a maximum of £500 per eligible pupil, and will be confirmed in February 2014.

Adopted from Care, Special Guardianship or Residence Orders (£351,500 currently)

In April 2014 the DfE allocated £1,900 for each child included in the January 2014 census who were adopted from care, or the subject of a special guardianship or residence order.

In the autumn term this was extended to include pupils recorded on the October 2014 School Census who were adopted prior to December 2005. If these pupils are already attracting ever 6 FSM premium of £1,300 then the additional allocation will be £600, otherwise they will be allocated £1,900. This extra funding will be confirmed before the end of March.

Looked After Children (£1,007,000 indicative)

From April 2014 the Looked after Children Pupil Premium is managed by the Virtual Head Teacher in the Authority that looks after those children.

In Wirral the payments are made termly based on progress and up to date Tracker information:-

- The first instalment of £700 per child is based on the number of LAC on roll as at 7th July 2014.
- The second instalment, a maximum of £600, is based on number of LAC on roll at 15th December 2014 with the following criteria:-
 - £200 paid for each child where targets for 2014-15 have been set
 - £200 paid for each child where the tracker information is up to date.
 - £200 paid for each child who has a "Green" PEP on ESCR.
- The third instalment, maximum of £600, is based on the number of LAC on roll at 16th March meeting the same criteria as the second instalment. Where a child did not have a green "PEP" in December but does at this time the school will receive £400.

Any funds that have not been allocated to schools after the third instalment will be divided equally among each child who achieved the expected progress targets in the 2013-14 academic year.

The indicative allocation of LAC Pupil Premium is £1,007,000 which is based on 530 children identified as looked after for at least one day as recorded in the March 2013 Children Looked After Data Return (SSDA903) and aged 4 to 15 at 31 August 2012. The final allocation will reflect changes in the March 2014 Children Looked After Data Return (SSDA903).

4. PUPIL PREMIUM and PUPIL PREMIUM PLUS 2015-16

The Pupil Premium amounts for 2015-16 are:-

	Per Pupil
FSM (ever 6) Primary	£1,320
FSM (ever 6) Secondary	£935
LAC and Post LAC	£1,900
Service Children (ever 4)	£300
Early Years (New)	£300

For the academic year 2014-15, the DfE will provide all schools with a list of pupils who have been eligible for free school meals at any point in the last 6 years. This list is available through a pupil premium download from the Key to Success website.

This data allows schools to identify the pupils who have previously attracted pupil premium funding so support can be targeted accurately. The data can also help schools estimate how much pupil premium funding will be allocated in future.

Early Years Pupil Premium

The Early Years Pupil Premium will be introduced from April 2015 targeting additional resources to disadvantaged children. It will be a maximum of £300 per eligible pupil, payable to private, voluntary and independent providers as well as maintained nursery schools and nursery classes. The DfE will conduct a survey in Autumn to review take up, whilst OFSTED will look for evidence that providers understand and are planning to meet the needs of disadvantaged children in their setting.

Estimated Pupil Premium for 2015-16

School Type	FSM (ever6) £	Service Child £	Post LAC £	LAC £	Early Years £	Total £
Primary	9,962,040	42,300	239,400	452,200	0	10,695,940
Secondary	5,269,660	25,500	91,200	267,900	0	5,654,260
Special	491,645	0	19,000	81,700	0	592,345
WASP	46,750	0	0	7,600	0	54,350
Wirral Hospital School	18,700	0	0	0	0	18,700
Alternative Provision	29,920	0	0	197,600	0	227,520
Early Years	0	0	0	0	357,000	357,000
TOTAL	15,818,715	67,800	349,600	1,007,000	357,000	17,600,115

Notes

The figures above include Academies.

FSM ever6 pupil numbers have been reduced to take account of falling FSM numbers.

All other pupil numbers are based on 2014-15 census data.

Early Years pupil premium is indicative.

5. RECOMMENDATION

That the Forum notes the report.

Julia Hassall
Director of Children's Services

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WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM 14th JANUARY 2015

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

High Needs Funding: longer term changes – DfE Call for Evidence

1. EXECUTIVE SUMMARY

The Dedicated Schools Grant (DSG) is divided into four blocks: the Schools Block, the Early Years Block, the High Needs Block and an 'Other' Block. This report provides details of a consultation conducted by the DfE on the move towards a national formula for High Needs to sit alongside a national formula for schools and early years.

2. BACKGROUND

The High Needs Funding Block within DSG was introduced in 2013. The block was largely based on the previous spend levels by local authorities. In 2015-16, the block provides a High Needs resource allocation of £33.8m (part of a total DSG of £241m).

In November 2014, the DfE released a consultation to seek views on how they might have a fair distribution of funding for special educational needs and disability (SEND). They are planning for a distribution that is more formulaic and less based on past levels of allocation or spend.

Research is being conducted on finding new and improved formula factors for distributing funds relating to SEND from national to local level and then from a local level to institutions. Traditionally formula factors such as Free School Meal data and levels of attainment have been used. The consultation is seeking views on other factors that could provide a good proxy.

The DfE have published a data pack for each authority with information about their children and young people with SEND, including data on attainment, funding and health. Local authorities are asked to analyse their data and to respond to the DfE consultation with any views by the end of February 2015.

It is suggested that the Schools Forum's High Needs Working Group consider these issues and the data for Wirral that is included in this report. The report will also be considered by other partners including the Children's Trust and WISPHA.

3. ANALYSIS

3.1 SEN Pupil Data

In 2014, the percentage of pupils with special education needs in Wirral are above the national average. This percentage has gradually decreased since 2011 mirroring the national downward trend, however in 2014 SEN pupils in Wirral are 12% higher than the England average.

		2009	2010	2011	2012	2013	2014
Wirral	SEN pupils	21.7%	22.3%	22.6%	22.0%	21.1%	20.1%
	With Statements	3.7%	3.5%	3.3%	3.2%	3.2%	3.1%
England	SEN pupils	20.7%	21.1%	20.6%	19.8%	18.7%	17.9%
	With Statements	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
Wirral v England	SEN pupils	1.0%	1.2%	2.0%	2.2%	2.4%	2.2%
	With Statements	0.9%	0.7%	0.5%	0.4%	0.4%	0.3%

This is a similar picture for pupils with a statement in Wirral. The percentage of pupils has gradually decreased from 3.7% in 2011 to 3.1% in 2014, but still above national average (2.8%). National figures show that the percentage of pupils with a statement has remained constant at 2.8% since 2011.

28% of pupils with a statement in Wirral attended a mainstream setting, compared to a national average of 47%. 63% of pupils with a statement in Wirral attended a special school, compared to 45% at a national level.

	Mainstream settings	Special settings	SEN Units and RP in mainstream settings	Other incl. AP
Wirral	27.8%	63.1%	8.7%	0.4%
England	46.7%	45.4%	5.7%	2.1%

3.2 SEN Funding

The DfE have published extracted data from the Section 251 returns to compare levels of funding and spend against national averages. Some further clarification is needed with the data since it appears that not all spend is accounted for.

		Funding in £millions					
		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
DSG High Needs	Wirral				£30.6	£32.3	£33.6
	England				£4,732.1	£4,966.9	£5,181.3
S251 SEN budget	Wirral	£26.6	£27.5	£27.6	£28.2	£30.7	£31.9
	England	£2,966.9	£3,128.2	£3,198.3	£3,458.4	£4,738.1	£4,691.6
S251 SEN spend	Wirral	£34.2	£37.4	£35.5	£34.4		
	England	£5,197.5	£5,465.5	£5,524.8	£5,400.1		

The table below shows DSG High Needs funding per SEN pupil, in Wirral funding per pupil is below the national average. In 2014-15, this was £3,470 nationally compared to Wirral at £3,308. Wirral's SEN budgeted spend however has increased over the period and is broadly in line with the average.

(Note the increase over the period reflects the reallocation of funding and responsibilities to local authorities such as post 16 SEND, 6th form, FE and colleges.)

		Funding per SEN pupil					
		2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
DSG High Needs	Wirral				£2,744	£3,026	£3,308
	England				£2,924	£3,214	£3,470
S251 SEN budget	Wirral	£2,363	£2,400	£2,381	£2,532	£2,879	£3,135
	England	£1,774	£1,835	£1,911	£2,137	£3,066	£3,143

3.3 Formula Indicators

Pupil Attainment

At Key Stage 4 (GCSE) level, children with SEN in Wirral perform better than the national average of children with SEN.

SEN pupils achieving 5+A*-C inc English & Maths GCSE

	2008/09	2009/10	2010/11	2011/12	2012/13
SEN without statement (Wirral)	17%	22%	32%	33%	33%
SEN w/o statement (England)	19%	23%	25%	25%	27%
SEN with statement (Wirral)	9%	6%	9%	11%	12%
SEN with statement (England)	6%	7%	9%	8%	10%

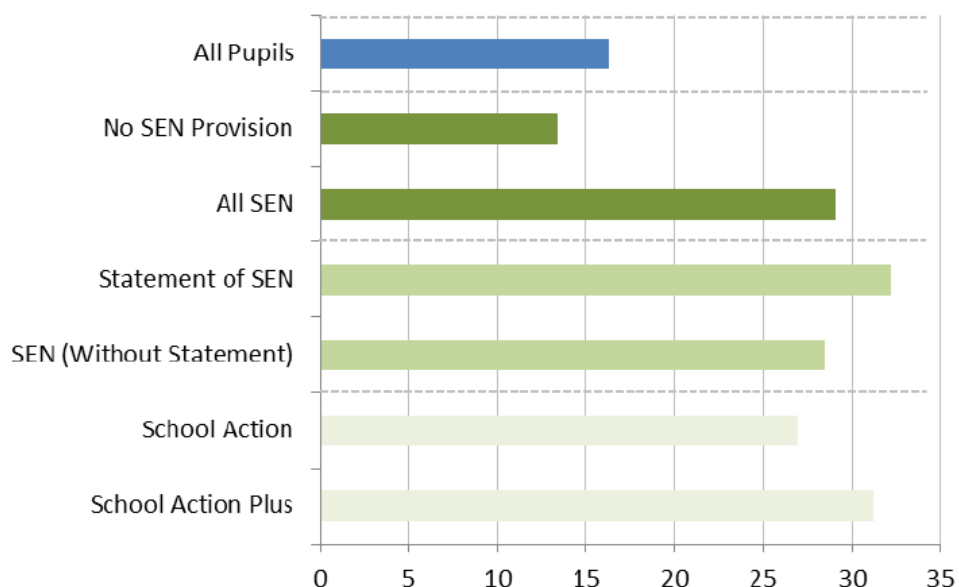
At Foundation Stage, Key Stage 1 and Key Stage 2 however, data indicates SEN children in Wirral perform below the national average of similar children.

% SEN pupils achieving	With Statement		Without Statement		All pupils
	Wirral	England	Wirral	England	Wirral
Expected standard at EYFSP (2013)	0%	2%	7%	14%	47%
Phonic decoding standard (2014)	6%	17%	39%	40%	76%
Level 2 or above in KS1 reading (2014)	10%	25%	57%	64%	89%
Level 2 or above in KS1 Writing (2014)	6%	19%	48%	54%	86%
Level 2 or above in KS1 Maths (2014)	14%	28%	66%	73%	91%
Level 2 or above in KS1 Science (2014)	13%	25%	67%	69%	91%
Level 4 or above in KS2 Grammar, Punctuation & Spelling (2013)	12%	17%	38%	35%	75%
Level 4 or above in KS2 Reading, Writing & Maths (2013)	12%	14%	42%	38%	76%

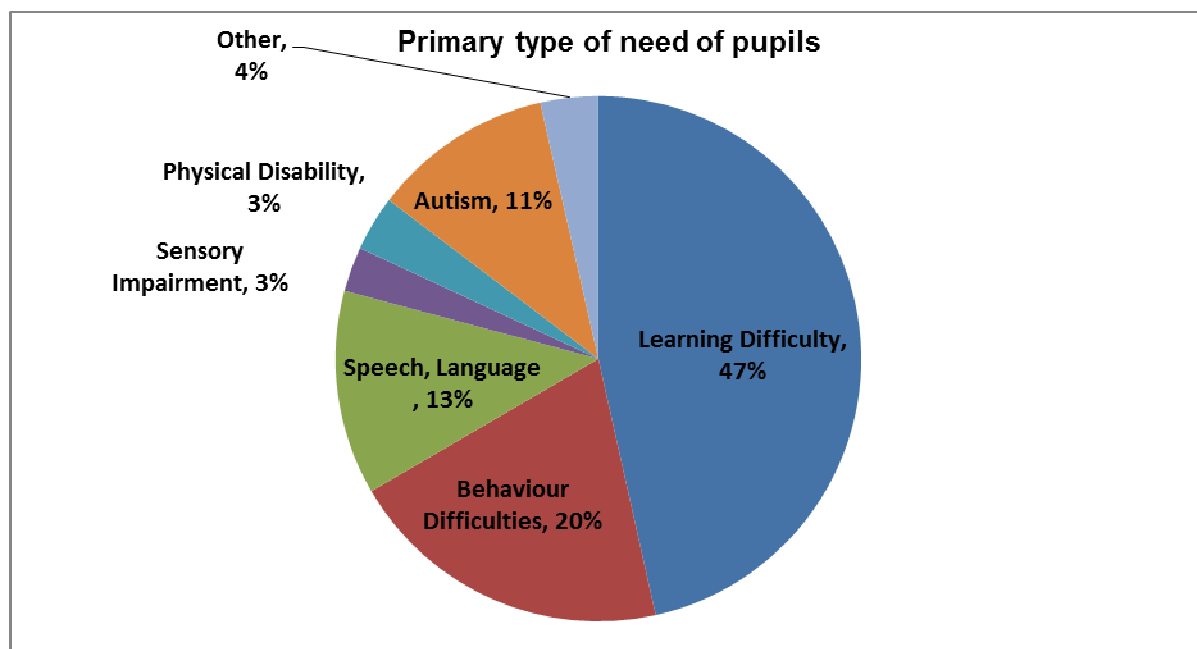
Free School Meal Proxy

The chart below from the DfE shows that at national level, pupils with SEN are more likely to be eligible for and claim free school meals.

Percentage of pupils eligible for and claiming free school meals, by SEN status



3.4 SEN Needs Analysis



	Learning Difficulty	Behaviour Difficulties	Speech, Language	Sensory Impairment	Physical Disability	Autism	Other
Wirral	47%	20%	13%	3%	3%	11%	4%
England	35%	21%	21%	4%	4%	11%	4%

3.4 Health data

Summary of other statistics

	LA	England
% 16-17 year olds with Learning Difficulties and/or Disabilities in education and training (2014)	89.3%	85.8%
% of high needs places for post 16 students (2014)	20.9%	22.3%
No of under 16s claiming Disability Living Allowance (Nov13)	2,870	313,340
% of births with low birth weight (2012)	5.9%	7.0%
% of under 16s whose day to day activities are limited (Census 11)	5.1%	3.7%
% of 16-24yr olds whose day to day activities are limited (Census 11)	7.3%	5.2%
% of under 16s with bad health (Census 11)	0.8%	0.6%
% of 16-24 year olds with bad health (Census 11)	1.4%	1.1%
% Children in need who are disabled (2012-13)	16.0%	13.8%
Rate per 10,000 population of hospital admissions caused by unintentional and deliberate injuries in children aged 0-14 (2012/13)	106.9	103.8
Rate per 10,000 population of hospital admissions caused by unintentional and deliberate injuries in young people aged 15-24 (2012/13)	194.2	130.7
Rate per 100,000 population of hospital admissions for asthma aged under 19 years (2012/13)	255.2	221.4
Rate per 100,000 population of hospital admissions for mental health conditions aged under 19 years (2012/13)	96.1	87.6
Rate per 100,000 population of hospital admissions as a result of self-harm aged 10-24yrs (2012/13)	526.6	346.3
Rate per 100,000 population of Epilepsy admissions aged under 19 (2011/12)	85.1	79.3
Rate per 100,000 population of Admissions for bronchiolitis aged under 2 years (2011/12)	3405.1	2066.2
Rate per 100,000 population of Respiratory tract infections aged 0-4 (2011/12)	1728.8	1100.7

There are significant differences in the health data for children in Wirral compared to the national average. The majority of the data is based on 2012-13 and the Working Group should explore more recent data where available.

4. CONCLUSION

1. Wirral have a higher percentage number of children with SEN, both statemented and non- statemented, compared to the national average.
2. High Needs planned spend per pupil is consistent with national averages, although further work should look at the budget information in more detail.
3. There are differences in SEN v pupil attainment at Primary and Secondary levels. This together with variations in health data should be examined further as potential proxy indicators for the High Needs funding formula.

5. RECOMMENDATIONS

- The Forum notes the report and refers the paper to the High Needs Working Party to consider in more detail together with partners and to respond to the DfE consultation.

Julia Hassall
Director of Children's Services

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WIRRAL COUNCIL

SCHOOLS FORUM - 14 JANUARY 2015

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

SCHOOLS BUDGET MONITORING REPORT 2014-15

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to update the Forum on the Schools Budget in the current year and to provide a brief summary of the main anticipated variations.

2.0 ANTICIPATED BUDGET VARIATIONS

- 2.1 The table attached compares the Schools Budget with the indicative spend for the year. The main variations are set out below.

2.2 Individual Schools Budget

The Secondary Schools budget is likely to overspend by £490,000 - the anticipated deficit for a secondary school at the point it converts to an academy.

2.3 Early Years Grant - £1.0m under spend

The Early Years budget of £15.5m includes £4.9m for the funding of 2 year olds (£4.4m for the provision and £0.5m the trajectory funding). The DfE anticipated there were 1846 of 2 year olds entitled to receive free Early Education from September 2014. However, numbers for Autumn and Spring Term are about 2/3rds of those eligible, resulting in an estimated underspend of £1m. Take up will continue to increase in 2015/16 in line with the capacity available with providers. It is anticipated that therefore some of this underspend will be required for this purpose. £530,000 has been received for Trajectory funding, building capacity with providers. To date half the budget is committed. It is recommended that the remainder is ring fenced and carried forward to 2015/16.

2.4 Admissions - £0.02m under spend

The budget will not be fully committed at the end of the year, there has also been additional income received from Academies.

2.5 School Closure / retirement costs - £0.2m under spend

The enhanced pension costs arising from previous school closures are estimated to be in line with last year at £126,000, resulting in a projected under spend of £200,000.

2.6 Schools Forum - £0.01m under spend

There is an estimated under spend of £10,600 in this area against budget.

2.7 Contribution to Combined Budgets £0.02m under spend

There is no longer a contribution towards the cost of school swimming pools.

2.8 Insurances - £0.03m under spend

The Governors Liability Insurance is estimated to be £27,900 less than budget.

2.9 School Specific Contingency - £0.5m over spend

The budget has made provision for managed moves and exceptional teacher and pension costs. In addition there are costs for schools which have been refunded for Low Cost High Incident SEN Statements where contributions exceed 90% of their notional budget. These costs total £169,000. In addition, school rates are £288k higher than anticipated due to increased and backdated charges for Pensby and Park Primary Schools.

2.10 Special Staff Costs - £0.1m over spend

The budget of £673,200 covers maternity, paternity and some Trade Union Facility Time. Current projections indicate that this budget will over spend by £126,000 mainly due to additional supply costs at EMAP.

2.11 Behaviour Support - £0.04m under spend

The budget is not anticipated to be fully committed at the end of the year and there has been additional income received from Academies.

2.12 Special Education Needs Top Ups - £0.3m under spend

The budget held is £12.2m for Top Up Funding in Special Schools, Independent, Non-Maintained, Bases, EMAP, FE and 6th Form colleges and contingency. The under spend has also allowed for backdated TA costs in Special Schools of £0.3m to be met.

2.13 Special Education Needs Statements - £0.16m under spend

Projections indicate a reduction in the number and cost of Primary and Secondary Statements offset by some additional Exceptional Need costs.

2.14 Support for Special Education Needs - £0.3m under spend

A significant proportion of the £700,000 central budget which is held to review, develop and plan SEN provision across Wirral will not be committed.

2.15 Home Tuition – £0.08m over spend

The service demands have resulted in increased costs within the year.

2.16 DSG - £175,835,000

The DSG allocation to Wirral remains at £175,835,000 for 2014/15 with an additional £1,331,500 carried forward from previous years. DSG has still to be adjusted for Townfield Academy and any subsequent academy conversions.

3.0 UPDATE ON SPECIFIC RESERVES

3.1 Job Evaluation and Pay Harmonisation Reserve - £1.08m

This reserve will fund backdated Job Evaluation and Harmonisation costs from 2007-08 following appeals and settlements.

3.2 DSG Reserve - £1.4m

This reserve is made up as follows:

Schools Budget under spend 2012/13 £472,000 – used as part of 2014/15 Budget

Schools Budget under spend 2013/14 £930,000 – proposed use of £894,900 within the 2015/16 Budget.

3.3 Defibrillators Reserve - £0.16m

This reserve has been used to fund the installation of defibrillators in schools.

3.4 City Learning Centres - £0.12m

This reserve is to meet any large equipment failure/replacement costs or potential unfunded Summer term costs.

3.5 Schools Contingency - £0.19m

A reserve to meet any significant unforeseen costs in excess of the budget provision.

3.6 High Needs MFG - £0.33m

This reserve will meet the costs of the MFG for Special Schools and Resourced Base provision in 2014/15.

4.0 CONCLUSION

4.1 The under spends identified in the centrally held schools budget set out above are estimated to be £398,900.

4.2 There is a net additional under spend of £510,000 within the Schools area of the budget. It is anticipated that this will be taken into account towards the expanding 2 year old provision in 2015/16.

5.0 RECOMMENDATIONS

5.1 That the Forum notes the estimated financial position of the Schools Budget for 2014/15.

Julia Hassall
Director of Children's Services

Appendix 1 – Budget Variations 2014/15

	Adjusted Base Budget 2014/15 £	Forecast Spend 2014/15 £	Variation 2014/15 £
Individual Schools Budget			
Primary Schools	92,497,800	92,497,800	0
Secondary Schools	30,618,500	31,108,500	490,000
Special Schools	8,500,300	8,500,300	0
SEN Bases	2,006,000	2,006,000	0
Emslie Morgan Alternative Provision School	640,000	640,000	0
Wirral Hospital School	1,352,300	1,352,300	0
Early Years	15,551,000	14,551,000	(1,000,000)
Individual Schools Budget Total	151,165,900	150,655,900	(510,000)
Central School Costs			
Early Years	489,700	489,700	0
Admissions	365,400	340,600	(24,800)
School Closure / retirement costs	326,000	126,000	(200,000)
Licences & Subscriptions	152,000	149,000	(3,000)
Schools Forum	10,600	0	(10,600)
School Harmonisation Costs	450,000	450,000	0
Contribution to Combined Budgets	2,336,200	2,316,400	(19,800)
PPM	449,000	449,000	0
PFI affordability gap	2,586,500	2,586,500	0
Costs Delegated to schools			
Library Service	195,000	195,000	0
Insurances	57,700	29,800	(27,900)
MEAS	260,400	250,600	(9,800)
School Specific Contingencies	107,500	600,300	492,800
Special Staff Costs	673,200	799,200	126,000
Milk & Meals	13,900	13,900	0
Behaviour Support	96,500	57,800	(38,700)
High Needs Pupils			
SEN Top Ups / Independent School Fees	12,176,700	11,865,100	(311,600)
Statements	4,648,500	4,490,800	(157,700)
Support for SEN	2,282,700	1,985,900	(296,800)
Home Tuition	251,400	334,400	83,000
Special School Transport	58,200	58,200	0
Non Delegated School Costs	27,987,100	27,588,200	(398,900)
Dedicated Schools Grant	(175,835,000)	(175,835,000)	0
Contributions from Reserves	(1,331,500)	(1,331,500)	0
Grand Total	1,986,500	1,077,600	(908,900)

The next steps for funding reform

Kit McHenry

Head of school funding reform, funding policy unit

Department for Education



**Department
for Education**

What I will cover today

1. The reform story so far
2. 2016 and beyond – education spending
3. 2016 and beyond – policy challenges
4. Q&A



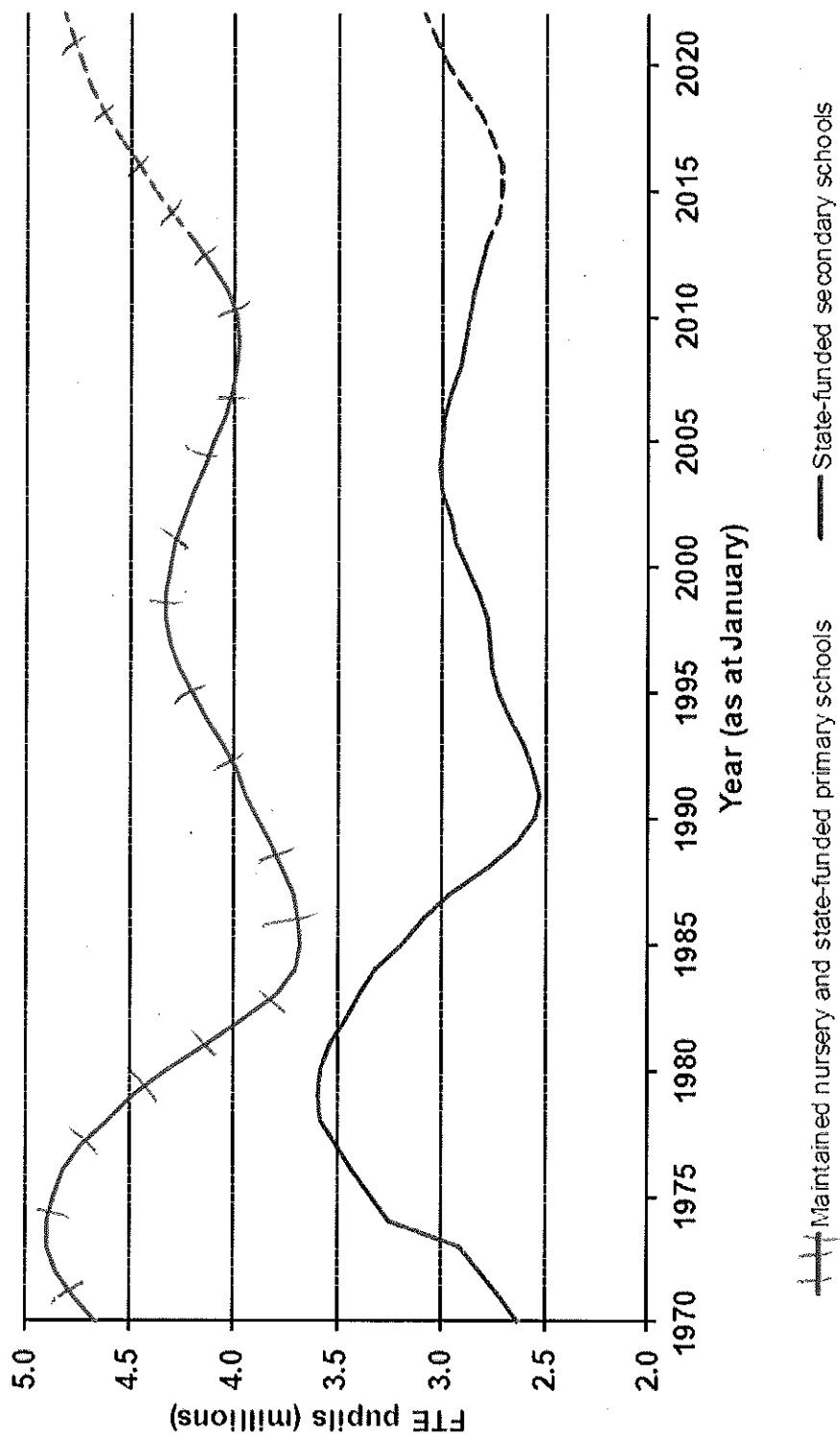
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Reform story so far

- Reforms at a local level
 - More consistency, more funding allocated on a per pupil basis
 - Continuing minimum funding guarantee to help schools manage transition
- Fairer national distribution
 - Introduction of minimum funding levels to allocate £390m extra funding to the least fairly funded local areas
 - Additional funding for deprived pupils from schools and early years pupil premiums
- Simplification
 - Replacing LACSEG with the education services grant
 - Turning non-recoupment academies into recoupment academies
- Protected schools budget over this parliament



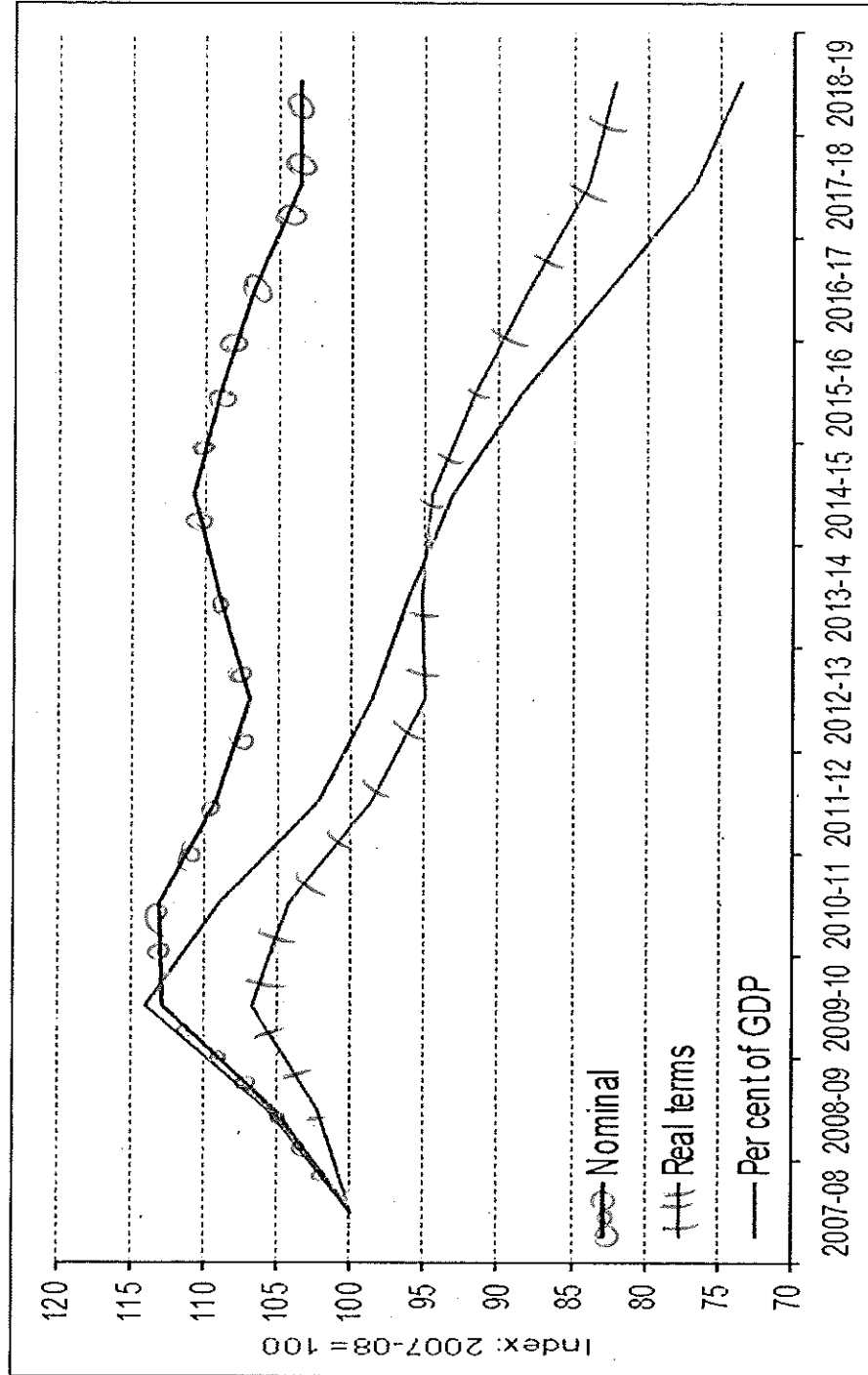
2016 and beyond: the demographic challenge



Department
for Education

2016 and beyond: the fiscal challenge

OBR forecast of departmental spending on public services and capital*



Department
for Education

*Office of Budget Responsibility assume no change to current policy and therefore that all future consolidation is delivered through RDEL

2016 and beyond: policy challenges

- Commitment to introducing a national funding formula for schools over the next parliament
- Reform of high needs funding
- Rising number of academies
- Making sure the system is working as well as possible – for example:
 - Funding areas with the highest levels of pupil growth
 - Different funding year for maintained schools and academies
- Very tight timetable for any changes for 2016-17 following a May election



Department
for Education

A national funding formula

The Government is committed to introducing a national funding formula for schools after the next spending review.

- We want to introduce a national fair funding formula when we can give schools and local authorities more certainty about how it will affect them over a number of years.
- That will be after the next spending review, when there are multi-year public spending plans.
- It is likely that any NFF would be introduced gradually over a number of years, with transitional protections.
- The introduction of minimum funding levels in 2015-16 means we are starting from an easier place.



Department
for Education

High needs funding reform

- We would like to move to a more formulaic way of distributing high needs funding to local areas.
- But at the moment we simply don't know how to do this!
- We have therefore commissioned research to help us:
 - Analyse the existing national data and literature
 - Undertake fieldwork to collect more information
 - Draw conclusions about appropriate factors that could be used in distributing high needs funding
 - Make recommendations on a formulaic approach to allocating funds to local authorities
- The research is due to report by April 2015
- **Can you help?** We would love you to help us – for example by comparing how you and a neighbouring LA fund high needs pupils differently. Or just by giving us your ideas on how the formula should work.



Department
for Education

Getting involved

- **Ask a question now**
- **Email us**
 - via the Education Funding Agency's funding reform team: reformteam.funding@education.gsi.gov.uk
 - or for specific suggestions about how to change school funding policy from 2016-17 onwards, you can email the policy team directly: suggestions.FPU@education.gsi.gov.uk
 - kit.mchenry@education.gsi.gov.uk
 - josh.goodman@education.gsi.gov.uk
- **High needs call for evidence:**
 - www.gov.uk/government/consultations/funding-for-children-and-young-people-with-send



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Schools Forum: 14th January 2015

Local Authority: Home Education Statutory Responsibility

Local Authorities are responsible for arranging suitable full-time home education for children of compulsory school age who, because of illness, would not receive suitable education without such provision. This is separate from any provision within the Hospital School.

2

This applies whether or not the child is on the roll of a school and whatever type of school they attend.

Children with health needs should have provision which is equivalent to the education they would receive in school.

If they receive one to one tuition, for example, the hours of face to face provision could be fewer as the provision is more concentrated

3

Where full time education would not be in the best interests of a child because of reasons relating to their physical or mental health, Local Authorities should provide part time education on a basis they consider to be in the child's best interests.

4

Full and part-time education should still aim to achieve good academic attainment particularly in English, Maths and Science

5

The Local Authority should:

1. Have a named officer responsible for the home education of children with additional health needs: Derek Kitchen who reports to the Strategic Lead for SEN
2. Have a written, publicly accessible policy statement on their arrangements to comply with their legal duty towards children with additional health needs.
3. Review provision regularly

6

The Aims of Wirral HES:

- To provide a suitable and flexible education appropriate to the child's needs and responsive to changing health needs
- To promote high expectations of young people and help them achieve realistic targets
- To work in effective partnership with children and young people, their parents, schools and partner agencies e.g. Health Professionals including Child and Adolescent Mental Health Services (CAMHS), Social Care
- To enable each young person to return to mainstream education.

7

Referral Process & Admissions Criteria:

- Referral on medical grounds must be made by a Consultant Paediatrician or Senior Grade Doctor in the case of hospital referrals, a Consultant Child and Adolescent Psychiatrist or Clinical Psychologist.
- If the referral comes from an educational setting it is the responsibility of that educational setting to collate the necessary evidence for the referral to the Home Teaching Service
- A General Practitioner cannot authorise a request for home tuition.
- The service may be withdrawn if there is no current medical evidence or the family/young person fails to engage with the medical professionals or attend lessons.

8

Medical reasons for referral fall into 3 broad categories:-

1. Surgical and Medical Conditions
2. Chronic Fatigue Syndrome (CFS)
3. Mental Health

9

Teaching Venues

Young people are taught in various venues depending on their medical conditions and needs:

- Within their home or the home of a family member if this is more appropriate
- Within the Home Education Base at Joseph Paxton Campus (this helps to maintain the routine of coming into school and can facilitate reintegration into an educational setting. At times, appropriate students may be grouped to avoid social isolation)
- In a local library or other suitable place (if moving out of the house is part of their recovery or the home is 'unsuitable'.)

10

Current Numbers supported by HES (January 2015)

Students on Home Teaching Register as of 9th January 2015

YEAR	GIRLS	BOYS
1		1
2		
3		3
4		2
5		3
6	1	2
7		3
8	1	1
9	3	2
10	5	4
11	12	7
12	1	1
TOTAL	23	29
TOTAL GIRLS + BOYS	52	

11

Current Challenges 1

- The length of stay in hospital for children has reduced in the last few years to around 1.6 days on average. Children are then discharged to "Hospital at Home" care. Instead of being taught as a group on the ward by one teacher, each child now needs individual tuition.
- Increasing numbers of complex referrals that require relatively long term home teaching e.g. Children discharged from, e.g. Alder Hey following complex procedures and requiring up to 4 months convalescence.
- Increasing numbers and complexity of CAMHS referrals in general; numbers have grown and particularly in Years 10 and 11. 26 referrals to HES in 2011/12, 51 referrals in 2013/14.
- There is greater prevalence of and level of anxiety amongst children with ASC; often found to be related to school and the social demands of adolescence.

12

Cost of Service

Budget 2014-15 **£248,800**

Forecast Costs:

Teachers/Tutors	363,000
Travel and Phones	10,000
Equipment and Materials	7,000
Support Costs	41,000
Income	(89,000)

Net Expenditure	332,000
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Additional costs	83,200
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13

WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM 14th January 2015

REPORT OF THE DIRECTOR OF CHILDRENS SERVICES

Two Year olds Briefing

Introduction

This briefing paper updates the School Forum on work currently taking place to ensure that as many eligible two year olds as possible are given the opportunity to take up their entitlement of early years education for 15 hours per week. This update follows the briefing note to the September 2014 meeting.

Update

There are an estimated 3,720 two year old children living in Wirral and in 2012-13, the Department of Work and Pensions estimated that the number of two year olds eligible for funding for Early Education under the 2012 economic criteria was 1,116 which made up 30% of the total number resident.

In September 2014, national eligibility criteria was expanded to include: families on low incomes looked after children, children leaving care and children with a health or education plan. The number of two year olds eligible under the new criteria is 1,846, which represents 50% of all two year olds living in Wirral.

In the Autumn Term Wirral had 1,283 eligible 2 year olds (70%) accessing funded places and in a range of settings (including private, independent and voluntary, schools and child minders). This represented 35% of the two year old population. Of the total children 1,123 two year olds were accessing a place in a PVI setting with 160 taking up a place in a school. In the January Census it is anticipated that this number may drop slightly to 1,176. There has been encouraging progress made in a relatively short period of time.

Although the number of children accessing a place has increased steadily during the reporting period, work towards meeting targets and driving the work forward is still required. Dialogue with regional and local colleagues indicate that there are a number of challenges associated with the more recently eligible children: parents of children with SEN often do not realise that they may be eligible for a place; looked after children can move between family members and foster care which makes it difficult to target information and adoptive parents frequently do not realise that their child would be eligible. The Early Years & Children's Centre teams are focusing on those hardest to reach and raising the number of children accessing a place through:

- A current awareness raising campaign – there is an advertisement on Capital Radio, there are flyers and posters in key locations (health clinics, GP surgeries etc.)
- Children's Centre staff are proactively following up where families apply for funding and then fail to take up a place.
- Work with social workers, health colleagues and wider education colleagues is taking place to ensure that they are aware and routinely highlight the funding opportunities to families that they are working with.

Financial Implications

In 2014-15 funding for two year old places is based on the estimated number of eligible children (as outlined above). This figure is only accurate on the day that it is produced – children and families move in and out of the Borough and family situations change.

In 2015-16 payment to local authorities for two year old funding will shift to participation, based on those children attending an early education place on census day in January 2015 (and January 2016). Wirral are similar to a number of regional and national authorities that are seeing developments of the two year old offer moving in the right direction but which will take time to embed and secure full take up. Reflective of this are the arrangements that have been put in place to for a second census count in Autumn 2015 which will reflect any growth and allow funding to be adjusted.

A breakdown of 2 year old numbers and costs are shown below:

	Headcount PVI	Headcount School	Headcount Total	Payment £
Summer term actual	992	135	1125	1,063,101
Autumn term actual	1123	160	1123	1,292,510
Spring term projected	1084	92	1176	941,094
Contingency				98,195

Total				3,394,900
Budget				4,394,900

Projected underspend				<u>1,000,000</u>

Trajectory Funding

In 2013-14 and 2014-15 local authorities received additional funding from central government, known as “trajectory” funding aimed specifically at supporting the creation of new two year old places. This has been a very successful way forward in Wirral with 18 schools, 55 PVI settings and 9 child minders accessing funding. A total of £1,592,081.00 capital and £1,066,331.00 revenue has been allocated during the lifetime of the project.

Contingency Planning

There is anticipated underspend in the costs for 2 year olds at the end of the financial year of £1m. It is proposed that £0.5m is ring-fenced to future 2 year old provision, to meet any additional costs and to explore increased access to funding by those providers who may not have felt able or well positioned to develop places earlier. Changes to the eligibility criteria and anticipated changes to legislation regarding Ofsted registration for schools could see some settings reconsider their own position.

Early Years Pupil Premium – key facts

- In 2015-16 £50 million has been allocated by the Government for Local Authorities to extend the pupil premium into the early years - this will be introduced from April 2015.
- The Early Years Pupil Premium (EYPP) will provide nurseries, schools and other providers with additional support for disadvantaged three and four year olds.
- Money will follow the child – meaning that funding will be allocated to LAs through the Dedicated Schools Grant (DSG), and LAs will pay a rate of 53p per hour for those children who meet the criteria.

- DfE have allocated £1 million to support a group of early implementer local authorities. These authorities will introduce the EYPP from January 2015.
- The early implementers will gather examples of good practice in using the premium – as well as testing systems around funding and eligibility checking.
- The early implementer authorities are Blackpool, Bristol, Cambridgeshire, Hackney, Northamptonshire, North Yorkshire and Stoke-on-Trent.
- As with the Schools Pupil Premium, the main accountability route will be through Ofsted. Effective use and impact of the EYPP to be assessed under the leadership and management judgement.
- DfE will amend the early years and schools census collections so that providers must identify which children in their setting attract EYPP funding.

Recommendation

That the Forum note the report and the intention to ring-fence and carry forward £500,000 of the 2 year old funding underspend to meet additional costs and expanding provision in 2015-16.

Julia Hassall
Director of Children's Services

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WIRRAL COUNCIL

WIRRAL SCHOOLS FORUM 14th January 2015

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

Job Evaluation - Special Schools Teaching Assistant (TA) Appeals – Update

1. EXECUTIVE SUMMARY

This report provides the forum with an update of the Job Evaluation TA appeal costs in special schools to date and identifies areas where costs are still due.

2. Background

Job evaluation (JE) was implemented in all schools in 2012. A number of appeals were lodged by TAs in Special Schools. Staff were notified they were successful in their appeal in July 2014. At the time the estimated figures suggested that arrears may be as high as £1.4m, backdated to April 2007. The Schools Budget contains a reserve to cover the costs before April 2011. At the October meeting Forum members also agreed to meet some costs from the High Needs contingency.

3. Appeal Costs Paid to Date

Arrears have been paid in December 2014 to 98 staff in current TA1 and TA2 posts. This amount including on-costs totals approximately £625,000. This sum is lower than the original estimate for a number of reasons:-

- The estimate included costs to April 2015, but schools have been paying the new salary rates since October 2014.
- The calculation method has changed since the original back pay was calculated in January 2011. This has reduced the amount of arrears paid out for the period April 2007 to January 2012.
- The original estimate assumed all staff were to receive arrears for the full period from April 2007, but only 43 of the 98 staff identified received arrears back to this date.

4. Appeal Costs still to be Paid

Due to the complex nature of these payments some arrears are still to be calculated. These outstanding costs will not be known until each person has been individually assessed to take account of.

- Staff who were part of the original appeal who have now left the authority, or moved to a school that did not appeal.
- Leavers who wrote in within 6 months of leaving their post.
- There are currently at least 12 TA's querying if they are due arrears.

RECOMMENDATIONS

1. That Schools Forum notes the arrears identified to date, which are allocated equally between the JE budget/reserve and the high needs contingency.
2. That as further costs are identified they are apportioned in the same way, with ongoing reports to the Forum until JE is concluded.

Julia Hassall
Director of Children's Services

WIRRAL COUNCIL

WIRRAL SCHOOLS' FORUM – 14th January 2015

REPORT OF THE DIRECTOR OF CHILDREN'S SERVICES

Wirral Schools Forum Membership

1. EXECUTIVE SUMMARY

This report updates the Forum of changes in membership since the October 2014 meeting.

2. Background

The previous report in October identified a number of changes to membership as terms of office came to an end. It also described the changes required as school convert to academies.

3. Schools Forum Current Representation

The schools forum has 30 members made up as follows:-

Table 1

5	Primary Headteachers
5	Primary Governors
1	Secondary Headteachers
1	Secondary Governors
1	Special Headteacher
1	Special Governors
1	Nursery Representative
1	Pupil Referral Unit (EMAP)
16	Total Schools Membership
7	Academy Representatives
7	Total academy Membership
1	Non-teacher representative
1	Teacher representative
1	Catholic Diocese
1	Church of England Diocese
1	Further Education
2	PVI Early Years Providers
7	Total Non-Schools Membership
30	Total Membership

4. Changes to Membership

Primary Governor representatives – 2 positions

Nominations were requested from primary governors. Ken Frost and Lynn Ireland were re-elected onto the forum.

Academy Representatives – 2 positions

One nomination was received for Academy representation. Shaun McNamara (formally the non-teacher representative) was accepted as an academy member.

Kate Lee from Townfield Primary School has been appointed into the second vacancy (giving academy representation across all school phases in accordance with guidance).

Teacher Representative – 1 position

Ian Harris has recently been appointed through the Wirral Teachers Panel.

Non-teacher Representative – 1 position

Danny Stenhouse (representative), Pensby Federation, and Dominic Fitzpatrick (substitute), Orrets Meadow, were both nominated. Advice from the EFA was to have representative and a substitute, rather than hold an election.

Wirral Governors Forum – 1 position

The chair of the Wirral Schools Forum confirmed that the group do not want to take up a position on the forum, but will remain on the mailing list for agenda and minutes.

Secondary Governor Representative

Jane Gordon resigned from this post in October 2014. The first request for nominations has been unsuccessful, so a further request was sent out in December. Nominations are required by 16th January 2015.

Private, Voluntary and Independent Representative

Denise McDonald resigned from this post in December 2014. A request for nominations has been sent to all PVI settings. Nominations are required by 14th January 2015.

RECOMMENDATIONS

1. The Forum notes the report.

Julia Hassall
Director of Children's Services

STATUTORY INSTRUMENTS

2014 No. 3352

EDUCATION, ENGLAND

The School and Early Years Finance (England) Regulations 2014

<i>Made</i>	- - - -	<i>18th December 2014</i>
<i>Laid before Parliament</i>		<i>22nd December 2014</i>
<i>Coming into force</i>	- -	<i>12th January 2015</i>

CONTENTS

PART 1

Introduction

1. Citation, commencement, application and interpretation
2. Revocation
3. Amendments

PART 2

Action to be Taken by a Local Authority

CHAPTER 1

Determination of the Non-Schools Education Budget, Schools Budget, Individual Schools Budget and Budget Shares

4. The non-schools education budget
5. Initial determination of a local authority's schools budget
6. The schools budget
7. Exceptions
8. Determination of the individual schools budget for the funding period and limit on increase in central expenditure
9. Consultation
10. Formulae for determination of budget shares etc for certain maintained schools and early years providers
11. Determination of allocation of budget shares etc for the funding period

CHAPTER 2

Further Deductions and Variations to Limits Authorised by Schools Forums or the Secretary of State

12. Applications to the schools forum and the Secretary of State

PART 3
Determination of Budget Shares etc
CHAPTER 1

Requirements, and Factors and Criteria Taken into Account

13. Pupil numbers
14. Places
15. Social deprivation
16. Special arrangements for pupils in maintained nursery schools and nursery classes and for children receiving relevant early years provision, exempt early years provision and community early years provision
17. Differential funding
18. Additional requirements, factors or criteria
19. Minimum funding guarantee
20. Sixth form funding
21. New schools, merged schools and closing schools
22. Federated schools

CHAPTER 2

Adjustments, Correction of Errors, and Alternative Arrangements Authorised by the Secretary of State

23. Pupils permanently excluded from, or leaving, maintained schools
24. Correction of errors and changes in non-domestic rates
25. Alternative arrangements approved by the Secretary of State

PART 4

Schemes

26. Required content of schemes
27. Approval by the schools forum or the Secretary of State of proposals to revise schemes
28. Publication of schemes

SCHEDULE 1 — CLASSES OR DESCRIPTIONS OF PLANNED EXPENDITURE PRESCRIBED FOR THE PURPOSES OF THE NON-SCHOOLS EDUCATION BUDGET OF A LOCAL AUTHORITY

SCHEDULE 2 — CLASSES OR DESCRIPTIONS OF PLANNED EXPENDITURE PRESCRIBED FOR THE PURPOSES OF THE SCHOOLS BUDGET OF A LOCAL AUTHORITY WHICH MAY BE DEDUCTED FROM IT TO DETERMINE THE INDIVIDUAL SCHOOLS BUDGET

PART 1 — Central Services

PART 2 — Central Schools Expenditure

PART 3 — Central Early Years Expenditure

PART 4 — Children And Young People With High Needs

PART 5 — Items That May Be Removed From Maintained Schools' Budget Shares

SCHEDULE 3 — ADDITIONAL REQUIREMENTS, OR FACTORS OR
CRITERIA WHICH MAY BE TAKEN INTO ACCOUNT, IN
A LOCAL AUTHORITY'S FORMULA UNDER
REGULATION 18

PART 1 — Applicable only to budget shares for maintained schools

PART 2 — Applicable only to budget shares for, and amounts to be
allocated to, providers of prescribed early years provision

SCHEDULE 4 — MINIMUM FUNDING GUARANTEE

SCHEDULE 5 — CONTENTS OF SCHEMES

The Secretary of State for Education makes the following Regulations in exercise of powers conferred by sections 45A(a), 45AA(b), 47(c), 47ZA(d), 47A(4) and (4B)(e), 48(1) and (2)(f), 49(2) and (2A)(g), 138(7) of, and paragraph 2B(h) of Schedule 14 to, the School Standards and Framework Act 1998(i) and section 24(3) of the Education Act 2002(j).

PART 1

Introduction

Citation, commencement, application and interpretation

1.—(1) These Regulations may be cited as the School and Early Years Finance (England) Regulations 2014 and come into force on 12th January 2015.

(2) These Regulations apply in relation to the financial year beginning on 1st April 2015.

(3) These Regulations apply in relation to England.

(4) In these Regulations—

“1962 Act” means the Education Act 1962(k);

“1989 Act” means the Children Act 1989(l);

“1996 Act” means the Education Act 1996(m);

“1998 Act” means the School Standards and Framework Act 1998;

“2002 Act” means the Education Act 2002;

“2003 Act” means the Local Government Act 2003(n);

“2005 Act” means the Education Act 2005(o);

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- (a) Section 45A was inserted by section 41(1) of the 2002 Act and amended by section 101 of, and paragraph 3 of Schedule 16 to, the 2005 Act.
- (b) Section 45AA was inserted by section 101 of, and paragraph 4 of Schedule 16 to, the 2005 Act.
- (c) Section 47 was amended by section 101 of, and paragraph 6 of Schedule 16 to, the 2005 Act.
- (d) Section 47ZA was inserted by section 202 of the 2009 Act.
- (e) Section 47A was inserted by section 43 of the 2002 Act and amended by section 101 of, and paragraph 7 of Schedule 16 to, the 2002 Act; section 57 of, and paragraph 2 of Schedule 5 to, the 2006 Act; section 165 of the Education and Skills Act 2008 and section 194 of the 2009 Act.
- (f) Section 48 was amended by section 40 of, and paragraph 2 of Schedule 3 to, the 2002 Act, section 117 of, and paragraph 7 of Schedule 18 to, the 2005 Act, section 57 of, and paragraph 3 of Schedule 5 to, the 2006 Act.
- (g) Subsections (2) and (2A) were substituted for subsections (2) and (3), as originally enacted, by section 57 of, and paragraph 4 of Schedule 5 to, the 2006 Act.
- (h) Paragraph 2B of Schedule 14 was substituted for paragraph 2, as originally enacted, by section 57 of, and paragraph 5 of Schedule 5 to, the 2006 Act.
- (i) 1998 c.31. For the meaning of “prescribed” and “regulations”, see section 142(1) of the 1998 Act.
- (j) 2002 c.32. For the meaning of “prescribed” and “regulations”, see section 212 of the 2002 Act.
- (k) 1962 c.12.
- (l) 1989 c.41.
- (m) 1996 c.56.
- (n) 2003 c.26. Regulations made under this section in relation to England are the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (S.I. 2003/3146) as amended by S.I. 2004/534, 2004/3055 and 2007/573.
- (o) 2005 c.18.

“2006 Act” means the Education and Inspections Act 2006(a);

“2009 Act” means the Apprenticeships, Skills, Children and Learning Act 2009(b);

“2010 Act” means the Academies Act 2010(c);

“2014 Act” means the Children and Families Act 2014(d);

“2013 Regulations” means the School and Early Years Finance (England) Regulations 2013(e);

“2014 Early Years Regulations” means the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2014(f);

“2008 Document” means the document entitled “Statutory Framework for the Early Years Foundation Stage” published by the Secretary of State on 19th May 2008(g);

“2012 Document” means the document entitled “Statutory Framework for the Early Years Foundation Stage” published by the Secretary of State on 27th March 2012(h);

“2014 Document” means the document entitled “Statutory Framework for the Early Years Foundation Stage” published by the Secretary of State on 31st March 2014(i);

“2014 ARA” means the document entitled “2014 Key Stage 2 Assessment and Reporting Arrangements”(j) containing provisions made under Article 11 of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003(k), made under section 87(3) of the 2002 Act;

“academic year” means any period commencing with 1st August and ending with the next 31st July;

“all-through schools” means those primary or secondary schools known by this title where pupils may join the school at an age of between three and five years and remain at the school until the age of between 16 and 19 years;

“capital expenditure” means expenditure of a local authority which falls to be capitalised in accordance with proper accounting practices, or expenditure treated as capital expenditure by virtue of any regulations or directions made under section 16 of the 2003 Act;

“central expenditure” means, in respect of the funding period, the total amount deducted by a local authority from its schools budget in accordance with regulation 8 or, in respect of the previous funding period, the total amount deducted by a local authority from its schools budget in accordance with regulation 8 of the 2013 Regulations;

“CERA” means capital expenditure which a local authority expects to charge to a revenue account of the authority within the meaning of section 22 of the 2003 Act;

“community early years provision” means prescribed early years provision provided by the governing body of a maintained school under section 27(1) of the 2002 Act to children other than pupils at the school, where the local authority has chosen to fund such provision;

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- (a) 2006 c.40.
 - (b) 2009 c.22.
 - (c) 2010 c.32 as amended by section 53(7) of the Education Act 2011 (c.21).
 - (d) 2014 c.6.
 - (e) S.I. 2013/3104.
 - (f) S.I. 2014/2147.
 - (g) Available at:
<http://webarchive.nationalarchives.gov.uk/20130401151715/http://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00261-2008>
 - (h) Available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271631/eyfs_statutory_framework_march_2012.pdf
 - (i) Available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/335504/EYFS_framework_from_1_September_2014_with_clarification_note.pdf
 - (j) Available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/278150/2014_KS2_assessmentandreportingarrangementsARA_DIGITAL_HO.pdf
 - (k) S.I. 2003/1038, amended by S.I. 2009/1585, 2010/290, 2011/2392, 2013/1513; there are other amending instruments but none is relevant.

“the Early Years Foundation Stage Profile” has the meaning given in section 2 of the 2008 Document, the 2012 Document or the 2014 Document, as the context specifies more particularly;

“early years provision” has the meaning given in section 20 of the Childcare Act 2006(a);

“early years pupil premium” means funding supplied by the Department for Education for the purpose of early years provision to children who meet the criteria in regulation 16(11);

“EHC plan” has the meaning given in section 37(2) of the 2014 Act;

“eligibility for free school meals” means eligibility for free lunches under section 512ZB of the 1996 Act(b);

“excluded early years provision” means early years provision provided by a provider—

- (i) which is an independent school (other than an Academy) which does not meet the standards prescribed under section 157(1) of the 2002 Act or section 94 of the Education and Skills Act 2008(c) in relation to the spiritual, moral, social and cultural development of pupils at the school; or
- (ii) which the local authority has reasonable grounds to believe—
 - (aa) does not actively promote the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs; or
 - (bb) promotes, as evidence-based, views and theories which are contrary to established scientific or historical evidence and explanations;

“exempt early years provider” means a provider of exempt early years provision;

“exempt early years provision” means early years provision which is not included in prescribed early years provision for the purposes of section 7(1) of the 2006 Act by virtue of regulation 2(2) of the 2014 Early Years Regulations;

“expenditure on the schools specific contingency” is central expenditure deducted for the purpose of ensuring that monies are available to enable an increase in a school’s budget share after it has been allocated and where it subsequently becomes apparent that a governing body has incurred expenditure which it would be unreasonable to expect it to meet from the school’s budget share, which may include expenditure in relation to—

- (iii) schools in financial difficulty;
- (iv) the writing off of deficits of schools which are discontinued, excluding any associated costs and overheads;
- (v) new, amalgamating or closing schools; or
- (vi) circumstances which were unforeseen when the school’s budget share was initially determined;

“funding period” means the financial year beginning on 1st April 2015;

“home school” means, in respect of a pupil, a school which is the shortest distance in a straight line from the pupil’s home and which admits pupils of the pupil’s age and sex, other than—

- (vii) a selective school;
- (viii) a special school; or
- (ix) an independent school which is not an Academy;

“hospital education” means education provided at a community special school or foundation special school established in a hospital, or under any arrangements made by the local authority under section 19 of the 1996 Act (exceptional provision of education), where the child is being

(a) 2006 c.21.

(b) Section 512ZB was inserted by section 201(1) of the 2002 Act and amended by section 28 of, and paragraph 16(3) of Schedule 3 to, the Welfare Reform Act 2007 (c.5), section 26(1)(a) to (e) of the Child Poverty Act 2010 (c. 9) and section 31, and paragraph 39(a) and (b) of Schedule 2 to, the Welfare Reform Act 2012 (c.5).

(c) 2008 c.25.

provided with such education by reason of a decision made by a medical practitioner, and “hospital education places” shall be read accordingly;

“IDACI” means the Income Deprivation Affecting Children Index referred to in the document named “English Indices of Deprivation 2010” published by the Department for Communities and Local Government(a);

“IDACI score” means the score allocated to a child under IDACI;

“key stage” means the key stage of the National Curriculum for England comprising the requirements and entitlements described in sections 84, 85 and 85A of the 2002 Act(b) and “key stage 1”, “key stage 2”, “key stage 3” and “key stage 4” mean, respectively, the first, second, third and fourth key stages referred to in those sections;

“learning difficulty assessment” has the meaning given in section 13(5) of the 1996 Act(c), and a reference to a person being subject to learning difficulty assessment has the meaning given in section 13(4) of the 1996 Act(d);

“looked after child” means a person who, for the purposes of the 1989 Act, is a child looked after by a local authority, and references to the authority looking after the child are to be read accordingly;

“middle school single sum formula” is $A \times (B / C) + D \times (E / C)$ where—

- (x) *A* is the amount allocated per school by the authority under paragraph 1(a) of Schedule 3 (primary single sum);
- (xi) *B* is the number of primary-age year groups in the school;
- (xii) *C* is the number of year groups in the school;
- (xiii) *D* is the amount allocated per school by the authority under paragraph 2(a) of Schedule 3 (secondary single sum); and
- (xiv) *E* is the number of secondary-age year groups in the school;

“non-domestic rate” has the meaning given in section 54 of the Local Government Finance Act 1988(e);

“prescribed early years provision” means early years provision prescribed for the purposes of section 7(1) of the Childcare Act 2006;

“previous funding period” means the financial year beginning on 1st April 2014 and “previous funding periods” means such funding periods as the context specifies more particularly;

“proper accounting practices” means those accounting practices which a local authority is required to follow by virtue of any enactment, or which, so far as they are consistent with any such enactment, are generally regarded (whether by reference to any generally recognised published code or otherwise) as proper accounting practices to be followed in the keeping of the accounts of local authorities, either generally or of the description concerned(f);

“provider”, in relation to prescribed early years provision, includes a governing body of a maintained school or a relevant early years provider;

“prudential borrowing” means borrowing money for the purpose of facilitating the modernisation and rationalisation of the school estate, where the revenue savings expected to be achieved as a result are equal to or more than the expenditure expected to be incurred in borrowing the money;

“pupil premium” means the amount allocated by a local authority from the pupil premium grant to a school under the terms and conditions of the grant;

(a) Available at: www.gov.uk/government/publications/english-indices-of-deprivation-2010

(b) Sections 85 and 85A were substituted for section 85, as originally enacted, by section 74(1) of the 2006 Act.

(c) Subsection (5) of section 13 was inserted by section 59 of, and paragraphs 1 and 2 of Schedule 2 to, the 2009 Act.

(d) Subsection (4) of section 13 was inserted by section 59 of, and paragraphs 1 and 2 of Schedule 2 to, the 2009 Act.

(e) 1988 c.41.

(f) This definition is taken from section 21 of the 2003 Act and regulation 31 of the Local Government (Capital Finance and Accounting) (England) Regulations 2003 (S.I. 2003/3146).

“pupil premium grant” is a grant of that name paid to a local authority by the Secretary of State under section 14 of the 2002 Act in respect of pupils who are entitled to a pupil premium;

“relevant early learning goals” means the early learning goals in the prime areas in section 1 of the 2014 Document and also the early learning goals of reading; writing; numbers; and shape, space and measures in section 1 of that document;

“relevant early years provider” means a provider of prescribed early years provision, other than the governing body of a maintained school;

“relevant early years provision” means prescribed early years provision provided by a relevant early years provider;

“school census” means the record of individual pupil information supplied by local authorities to the Secretary of State under section 537A of the 1996 Act^(a);

“second closest school” means, in respect of a pupil, the school which is the second shortest distance in a straight line from the pupil’s home and which admits pupils of the pupil’s age and sex, other than—

(xv) a selective school;

(xvi) a special school; or

(xvii) an independent school which is not an Academy;

“selective school” means a school where all the pupils in the school are selected by ability or by aptitude;

“sixth form grant” means a grant of that name paid to a local authority by the Secretary of State under section 14 of the 2002 Act in respect of sixth form pupils, on condition that it is passed on to a particular school;

“special Academy” means an educational institution which meets the requirements of section 1A(2) of the 2010 Act;

“special educational needs” has the meaning given in section 20(1) of the 2014 Act;

“specific grant” means any grant paid to a local authority under conditions which impose restrictions on the particular purposes for which the grant may be used other than—

(xviii) a grant named “Dedicated Schools Grant”, paid to a local authority by the Secretary of State under section 14 of the 2002 Act, or

(xix) any sixth form grant;

“unavoidable costs” means costs which must be incurred by virtue of a statutory requirement;

“Year 1” means the school year in which the majority of pupils attain the age of six;

“Year 2” means the school year in which the majority of pupils attain the age of seven;

“Year 3” means the school year in which the majority of pupils attain the age of eight;

“Year 4” means the school year in which the majority of pupils attain the age of nine;

“Year 5” means the school year in which the majority of pupils attain the age of ten;

“Year 6” means the school year in which the majority of pupils attain the age of eleven.

(5) In these Regulations—

(a) a reference to a determination or redetermination of a budget share or amount to be allocated is a reference to such a determination or redetermination for the funding period, unless otherwise stated;

(b) a reference to an Academy’s “predecessor school” is a reference to—

(i) the school that was discontinued and which that Academy replaced, or

(a) Section 537A was inserted by section 140(1) of, and paragraph 153 of Schedule 30 to, the 1998 Act.

- (ii) the maintained school which converted into that Academy in accordance with section 4 of the 2010 Act;
- (c) a reference to a “governing body” of a school includes the management committee of a pupil referral unit;
- (d) a reference to an inspection under section 5 of the 2005 Act includes a reference to an inspection under section 8 of that Act (other inspections) which has been treated by the Chief Inspector as an inspection under section 5;
- (e) a reference to the number of pupils at a particular key stage is a reference to the number on 2nd October 2014, unless otherwise stated;
- (f) a reference to “pupils or children” in regulations 15 and 16 is a reference to—
 - (i) in respect of a nursery school, the pupils at the school;
 - (ii) in respect of a nursery class, the pupils in the class;
 - (iii) in respect of a prescribed early years provider, the children receiving prescribed early years provision from the provider;
 - (iv) in respect of a relevant early years provider, the children receiving relevant early years provision from the provider;
 - (v) in respect of an exempt early years provider, the children receiving exempt early years provision from the provider; and
 - (vi) in respect of community early years provision, the children receiving such provision at the school;
- (g) a reference to “pupils” includes only those pupils who are recorded on the school census as either—
 - (i) registered solely at that school, or
 - (ii) registered at more than one school, but attending that school for most of their time, except in regulations 15(5), 15(6) and 16 where “pupil” means a registered pupil(a);
- (h) a reference to “schools” in Schedules 1 and 2 includes maintained schools and Academies except where the context requires otherwise;
- (i) a reference to “special educational needs transport costs”, for the purposes of paragraph 4(d) of Schedule 2, is a reference to the costs of home-to-school transport for pupils with special educational needs in schools maintained by a local authority where the authority is meeting such costs because the revenue savings that will be achieved by placing such children in a school maintained by it are equal to, or greater than, the costs of such transport; and
- (j) a reference to “termination of employment costs”, for the purposes of paragraph 4(b) of Schedule 2, is a reference to expenditure relating to the dismissal or premature retirement of, or for the purpose of securing the resignation of, any person employed in a maintained school.

Revocation

2. The School and Early Years Finance (England) Regulations 2012(b) are revoked on 1st April 2015.

Amendments

3.—(1) The Schools Forums (England) Regulations 2012(c) are amended as follows.

(2) In regulation 1(3)—

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- (a) “Registered pupil” is defined in section 434(5) of the 1996 Act.
 - (b) S.I. 2012/2991.
 - (c) S.I. 2012/2261, amended by S.I. 2012/2991, 2013/3104.

- (a) after the definition of “Academies member”, insert—
 - ““alternative provision Academy” means an educational institution which meets the requirements of section 1C of the Academies Act 2010(a);”;
- (b) after the definition of “governor”, insert—
 - ““mainstream Academy” means an educational institution which meets the requirements of section 1A(1) of the Academies Act 2010;”;
- (c) after the definition of “senior member of staff”, insert—
 - ““special Academy” means an educational institution which meets the requirements of section 1A(2) of the Academies Act 2010;”.
- (3) In regulation 4(2)(b), omit “if there are any Academies in the authority’s area”.
- (4) In regulation 4(6), for “(10)” substitute “(10C)”.
- (5) After regulation 4(10), insert—
 - “(10A) At least one Academies member must be a representative of a mainstream Academy.
 - (10B) If there are any special Academies in the authority’s area, at least one Academies member must be a representative of a special Academy.
 - (10C) If there are any alternative provision Academies in the authority’s area, at least one Academies member must be a representative of an alternative provision Academy.”.
- (6) For regulation 6, substitute—
 - “6. Academies members**
 - (1) Academies members representing mainstream Academies must be elected to the schools forum by the proprietors of mainstream Academies in the authority’s area.
 - (2) Where there is only one mainstream Academy in the authority’s area, the proprietor of that Academy must select the person who will represent it on the schools forum.
 - (3) Academies members representing special Academies must be elected to the schools forum by the proprietors of special Academies in the authority’s area.
 - (4) Where there is only one special Academy in the authority’s area, the proprietor of that special Academy must select the person who will represent it on the schools forum.
 - (5) Academies members representing alternative provision Academies must be elected to the schools forum by the proprietors of alternative provision Academies in the authority’s area.
 - (6) Where there is only one alternative provision Academy in the authority’s area, the proprietor of that alternative provision Academy must select the person who will represent it on the schools forum.”.
- (7) In regulation 10(1)(a), after “special educational needs”, insert—
 - “, and in particular—
 - (i) the places to be commissioned by the local authority in different schools and other institutions, and
 - (ii) the arrangements for paying top-up funding to schools and other institutions”.
- (8) In regulation 10(1)(b), after “otherwise than at school”, insert—
 - “, and in particular—
 - (i) the places to be commissioned by the authority and by schools in pupil referral units and other providers of alternative provision, and
 - (ii) the arrangements for paying top-up funding to pupil referral units and other providers of alternative provision”.

(a) 2010 c.32; sections 1A and 1C were inserted by section 53(7) of the Education Act 2011.

PART 2

Action to be Taken by a Local Authority

CHAPTER 1

Determination of the Non-Schools Education Budget, Schools Budget, Individual Schools Budget, and Budget Shares

The non-schools education budget

4. The following classes or descriptions of local authority expenditure are prescribed for the purposes of section 45A(1) of the 1998 Act and the determination of a local authority's non-schools education budget, subject to the exceptions in regulation 7—

- (a) those specified in Schedule 1, including expenditure on associated administrative costs and overheads; and
- (b) any expenditure which falls outside the classes or descriptions of expenditure specified in regulation 6 and Schedule 2 (the schools budget).

Initial determination of a local authority's schools budget

5. A local authority must, not later than 27th February 2015—

- (a) make an initial determination of its schools budget; and
- (b) give notice of that determination to the governing bodies of the schools which it maintains.

The schools budget

6.—(1) The classes or descriptions of local authority expenditure specified in paragraph (2) and Schedule 2 are prescribed for the purposes of section 45A(2) of the 1998 Act and the determination of a local authority's schools budget, subject to the exceptions in regulation 7.

(2) The classes or descriptions of local authority expenditure are—

- (a) expenditure on the provision and maintenance of maintained schools and on the education of pupils at maintained schools;
- (b) expenditure on the education of children at independent schools, non-maintained special schools, pupil referral units, at home or in hospital, and on any other arrangements for the provision of primary and secondary education for children otherwise than at schools maintained by a local authority;
- (c) all other expenditure incurred in connection with the authority's functions in relation to the provision of primary and secondary education, in so far as that expenditure does not fall within sub-paragraphs (a) or (b);
- (d) expenditure on the education of—
 - (i) persons provided with further education who are aged under 19 and have special educational needs; and
 - (ii) persons provided with further education who are aged 19 or over but under 25 and are subject to learning difficulty assessment or an EHC plan,in so far as that expenditure does not fall within sub-paragraphs (a) to (c); and
- (e) expenditure on early years provision, in so far as that expenditure does not fall within sub-paragraphs (a) to (d).

Exceptions

7. A local authority's non-schools education budget or schools budget must not include the following classes or descriptions of expenditure—

- (a) capital expenditure, other than—
 - (i) CERA;
 - (ii) capital expenditure appropriated to the schools budget for the purpose of funding pay arrears due to staff whose salaries are met from the schools budget;
- (b) expenditure on capital financing, other than expenditure incurred—
 - (i) on prudential borrowing;
 - (ii) for the purpose of meeting the costs of financing the payment of pay arrears referred to in paragraph (a)(ii); and
- (c) expenditure for the purposes of section 26 of the Road Traffic Regulation Act 1984(a) (arrangements for patrolling school crossings).

Determination of the individual schools budget for the funding period and limit on increase in central expenditure

8.—(1) Subject to paragraphs (2) to (10), not later than 27th February 2015, a local authority must deduct from its schools budget such of the classes or descriptions of planned expenditure set out in Schedule 2 as it proposes to deduct in order to determine its individual schools budget.

(2) Expenditure referred to in paragraphs 3 and 4 of Part 1 (Central Services) of Schedule 2 may only be deducted by the local authority where the expenditure is to be incurred as a result of decisions taken before 1st April 2013 that commit the authority to incur expenditure in the funding period.

(3) In deducting the expenditure referred to in Part 1 (Central Services) of Schedule 2, a local authority must not exceed the limits referred to in paragraph 5 of Schedule 2, unless it is authorised to do so under regulation 25(1)(a).

(4) A local authority must not deduct the expenditure referred to in paragraphs 8 to 10 of Schedule 2 without authorisation of the criteria for determining the expenditure from its schools forum under regulation 12(1), or from the Secretary of State under regulation 12(3).

(5) A local authority must not deduct the expenditure referred to in Schedule 2 (other than expenditure referred to in paragraph 12 (expenditure on licences) and Part 4 (Children and Young People With High Needs) of Schedule 2) without authorisation from its schools forum under regulation 12(1), or from the Secretary of State under regulation 12(3).

(6) Where a local authority carries forward a deficit from the previous funding period to the funding period which reduces the amount of the schools budget available, the funding of this deficit from the schools budget must be authorised by its schools forum under regulation 12(1), or by the Secretary of State under regulation 12(3).

(7) Any amount of expenditure which was deducted under paragraphs 8 (growth fund) and 11 (extra infant classes) of Schedule 2 to the 2013 Regulations for the previous funding period and which remains unspent may be used by the local authority in the funding period for the purposes listed in paragraphs 8 and 11 of Schedule 2 to the 2013 Regulations that applied to such expenditure.

(8) Where a local authority treated any expenditure described in Part 5 of Schedule 2 to the 2013 Regulations (Items That May Be Removed From Maintained Schools' Budget Shares) as central expenditure for the previous funding period under regulation 11(4) of the 2013 Regulations and any such amounts remain unspent, such amounts may be used by the local authority in the funding period for the purposes listed in Part 5 of Schedule 2 to the 2013 Regulations that applied to such expenditure.

(9) A local authority may apply to the Secretary of State for authorisation under regulation 25(1) to—

(a) 1984 c.27. Section 26 was amended by section 8 of, and Schedule 5 to, the Local Government Act 1985 (c.51), sections 288 and 423 of, and Schedule 34 to, the Greater London Authority Act 1999 (c.29) and sections 270 and 274 of, and Schedule 31 to, the Transport Act 2000 (c.38).

- (a) deduct from its schools budget any expenditure falling outside the classes or descriptions of planned expenditure in Schedule 2, in order to determine its individual schools budget; and
- (b) alter the operation of regulation 11(3) (additional costs of pupils with special educational needs).

(10) References to planned expenditure in this regulation and Schedule 2 are references to that expenditure net of—

- (a) all related specific grants;
- (b) all related fees, charges and income; and
- (c) any funding received from the Secretary of State in respect of a charge payable by a local authority under a private finance transaction, as defined in regulation 16 of the Local Authorities (Capital Finance) Regulations 1997^(a).

(11) The expenditure referred to in Schedule 2 includes expenditure on associated administrative costs and overheads.

Consultation

9.—(1) In determining the formulae under regulation 10, a local authority may change the formulae which it determined under regulation 10 of the 2013 Regulations.

(2) Subject to paragraph (4), a local authority must consult its schools forum and schools maintained by it about any proposed changes under paragraph (1), in relation to the factors and criteria taken into account, and the methods, principles and rules adopted.

(3) Where a local authority proposes to make changes under paragraph (1) which will affect relevant early years providers or exempt early years providers in its area, it must also consult those providers in relation to the factors and criteria taken into account, and the methods, principles and rules adopted.

(4) Paragraph (2) does not apply to changes made relating to matters referred to in regulation 20 (Sixth form funding) or 23 (Excluded pupils).

(5) A local authority must consult its schools forum before incurring any of the expenditure referred to in paragraphs 8 to 10 of Schedule 2.

Formulae for determination of budget shares etc for certain maintained schools and early years providers

10.—(1) A local authority must, before the beginning of the funding period and after carrying out any consultation required by regulation 9(2), decide on the formula which it will use to determine the budget shares for schools which it maintains (other than special schools, pupil referral units and nursery schools, and in relation to nursery classes in schools maintained by it).

(2) A local authority must use the formula determined under paragraph (1) in all determinations of school budget shares in respect of the funding period.

(3) A local authority must, before the beginning of the funding period and after carrying out any consultation required by regulation 9(2) or (3), decide on the formula which it will use to determine—

- (a) the budget shares for nursery schools maintained by it;
- (b) the amounts to be allocated in respect of nursery classes in schools maintained by it;
- (c) the amounts to be allocated to relevant early years providers in its area;
- (d) the amounts to be allocated to exempt early years providers in its area; and

(a) S.I. 1997/319. These regulations have lapsed but article 11 of the Local Authorities (Capital Finance) (Consequential, Transitional and Savings Provisions) Order 2004 (S.I. 2004/533) contains a savings provision for regulation 16 of the 1997 Regulations.

- (e) the amounts to be allocated in respect of community early years provision in schools maintained by it.
- (4) A local authority must use the formula determined under paragraph (3) when making all the determinations referred to in paragraph (3)(a) to (e) in respect of the funding period.
- (5) A local authority may not change its formulae after the funding period has begun.
- (6) The formulae must be determined in accordance with Part 3 of these Regulations.

Determination of allocation of budget shares etc for the funding period

11.—(1) Except as provided for in paragraphs (2), (5) and (6), not later than 27th February 2015, a local authority must determine the budget share for each school which it maintains, using the formula referred to in regulation 10(1) in accordance with Part 3 of these Regulations.

(2) Paragraph (1) does not apply to any determination of amounts to be included in budget shares under regulation 20 (Sixth form funding) and in relation to such determination the local authority must make the determination and notify the school to which the determination relates within a reasonable period after the notification given by the Secretary of State under regulation 20(1).

(3) When making the determination under paragraph (1) the local authority must identify within each budget share an amount calculated by reference to the requirements, factors and criteria specified in Part 3 which are relevant to pupils with special educational needs; such amount must be calculated using a sum of £6,000 as the threshold below which the school will be expected to meet the additional costs of pupils with special educational needs from its budget share.

(4) After the local authority has made a determination under paragraph (1) but before giving notice under paragraph (7), the authority may apply to its schools forum under regulation 12(1), or to the Secretary of State under regulation 12(2), for authorisation to redetermine schools' budget shares by removing any of the expenditure referred to in Part 5 of Schedule 2 (Items That May Be Removed From Maintained Schools' Budget Shares) from the budget shares of—

- (a) all primary schools other than nursery schools;
- (b) all secondary schools; or
- (c) all primary schools other than nursery schools, and all secondary schools,

where the expenditure is instead to be treated as if it were part of central expenditure.

(5) Not later than 31st March 2015, a local authority must determine the budget share for each of the special schools and pupil referral units maintained by it in accordance with Part 3 of these Regulations.

(6) Not later than 31st March 2015, a local authority must determine—

- (a) the budget share for each of the nursery schools maintained by it;
- (b) the amount to be allocated in respect of each nursery class in schools maintained by it;
- (c) the amount to be allocated to each relevant early years provider in its area;
- (d) the amount to be allocated to each exempt early years provider in its area; and
- (e) the amount to be allocated in respect of community early years provision,

using the formula referred to in regulation 10(3) in accordance with Part 3 of these Regulations.

(7) Not later than 31st March 2015, a local authority must give notice of—

- (a) each budget share or amount determined under paragraphs (1), (5) and (6); or
- (b) the redetermined budget share, when the budget share has been redetermined under paragraph (4),

to the governing body of the school, the exempt early years provider or the relevant early years provider concerned.

(8) Save as provided in this regulation and in regulations 16 (Special arrangements for pupils in maintained nursery schools and nursery classes and children receiving relevant early years provision), 17 (Differential funding), 20 (Sixth form funding), 22 (Federated schools), 23

(Excluded pupils), 24 (Correction of errors and non-domestic rates) and 25 (Alternative arrangements), the authority must not redetermine a school's budget share, or the amount allocated to a relevant early years provider or an exempt early years provider.

CHAPTER 2

Further Deductions and Variations to Limits Authorised by Schools Forums or the Secretary of State

Applications to the schools forum and the Secretary of State

12.—(1) On the application of a local authority, its schools forum may authorise—

- (a) the criteria for determining expenditure referred to in paragraphs 8, 9 or 10 of Schedule 2, under regulation 8(4);
- (b) the making of deductions from the authority's schools budget of expenditure under regulation 8(5);
- (c) the funding of any deficit from the schools budget under regulation 8(6); or
- (d) the redetermination of schools' budget shares by removal of any of the expenditure referred to in Part 5 of Schedule 2 (Items That May Be Removed From Maintained Schools' Budget Shares) from schools' budget shares where it is instead to be treated by the authority as if it were part of central expenditure, under regulation 11(4).

(2) Where—

- (a) a schools forum does not authorise any of the matters referred to in paragraph (1); or
- (b) a local authority is not required to establish a schools forum for its area,

the authority may apply to the Secretary of State for such authorisation.

(3) On the application of a local authority under paragraph (2), the Secretary of State may authorise the matters referred to in paragraph (1).

PART 3

Determination of Budget Shares etc

CHAPTER 1

Requirements, and Factors and Criteria Taken into Account

Pupil numbers

13.—(1) In determining budget shares for primary and secondary schools, except in respect of nursery classes a local authority must ascertain and take into account in its formula the number of pupils at those schools in accordance with paragraph (2) on the date specified in paragraph (3).

(2) For the purposes of paragraph (1), the number of pupils is $A - (B - C) - D$ where—

- (a) A is the total number of pupils in the school;
- (b) B is the number of places in the school which the authority has reserved for children with special educational needs;
- (c) C is the number of children in places in the school which the authority has reserved for children with special educational needs where those places are occupied by a child in a nursery class, or by a child who is not a pupil at the school; and
- (d) D is the number of pupils in the school in respect of whom sixth form grant is payable.

(3) The date for ascertaining pupil numbers is 2nd October 2014.

(4) Where a primary school had more pupils in reception classes on 16th January 2014 than on 3rd October 2013, the local authority may take the number of additional pupils into account in its formula, and where it does so this factor must be applied to all primary schools in the area.

(5) A local authority must include in its formula a single per pupil amount of at least—

- (a) £2,000 for each of the pupils in reception classes and at key stages 1 and 2;
- (b) £3,000 for each of the pupils at key stage 3; and
- (c) £3,000 for each of the pupils at key stage 4.

Places

14.—(1) In determining budget shares for special schools, a local authority—

- (a) must include £10,000 for each place other than—
 - (i) hospital education places; and
 - (ii) places for those who are over 18, unless they are aged 19 and are continuing to attend a particular course of secondary education which they began before they reached the age of 18; and
- (b) must not include funding for places described in sub-paragraph (a)(ii).

(2) In determining budget shares for primary or secondary schools maintained by the local authority, with places which the authority has reserved for children with special educational needs, a local authority must include £10,000 for each place other than—

- (a) hospital education places; and
- (b) places for pupils in respect of whom a sixth form grant is payable.

(3) In determining budget shares for pupil referral units, a local authority must include, for each place other than hospital education places, £3,333 for the period April to August 2015 inclusive and £5,833 for the period September 2015 to March 2016 inclusive.

(4) Paragraph (3) applies to places to be commissioned by schools or directly by a local authority.

(5) For each hospital education place referred to in paragraphs (1) to (3) the local authority must include the equivalent amount per hospital education place which the authority included in the budget share of the school or pupil referral unit, as the case may be, in the previous funding period.

Social deprivation

15. In determining budget shares for schools maintained by it (other than special schools, pupil referral units and nursery schools), a local authority must take into account in its formula one or more factors based on the incidence of social deprivation in pupils at the schools maintained by it.

(1) The authority must base the incidence of social deprivation referred to in paragraph (1) on one or both of the following—

- (a) a pupil's eligibility for free school meals on 2nd October 2014 or a pupil's eligibility for free school meals recorded in any school census between and including Summer 2008 and Spring 2014;
- (b) a pupil's IDACI score on 2nd October 2014,

and where it is based on an IDACI score the authority may use factors which differentiate between different IDACI bands (that is, groupings of IDACI scores published by the Department for Education in the document named "Schools Block Dataset Technical Specification: 2015 to 2016"(a)).

(a) Available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/386207/Schools_block_dataset_2015_to_2016_technical_specification.pdf

(2) In determining budget shares under paragraph (1), the authority may take into account in its formula a single per pupil amount for each socially deprived pupil in reception classes and at key stage 1 and 2, and a single per pupil amount for each socially deprived pupil at key stage 3 and 4.

(3) In paragraph (3) a reference to a “socially deprived pupil” is to a pupil who has been determined as being such using the criteria in paragraph (2).

(4) Other than in respect of two-year-olds, in determining—

- (a) budget shares for maintained nursery schools;
- (b) amounts to be allocated in respect of nursery classes in schools maintained by it;
- (c) amounts to be allocated to relevant early years providers in its area;
- (d) amounts to be allocated to exempt early years providers in its area; and
- (e) amounts to be allocated in respect of community early years provision in schools maintained by it,

a local authority must take into account in its formula one or more factors based on the incidence of social deprivation in pupils or children, and the determination of the incidence of social deprivation must be based on the characteristics of the pupils or children and not on the location of the school or provider.

(5) In respect of two-year-olds, in determining—

- (a) budget shares for maintained nursery schools;
- (b) amounts to be allocated in respect of nursery classes in schools maintained by it;
- (c) amounts to be allocated to relevant early years providers in its area;
- (d) amounts to be allocated to exempt early years providers in its area; and
- (e) amounts to be allocated in respect of community early years provision in schools maintained by it,

a local authority may take into account in its formula one or more factors based on the incidence of social deprivation in pupils or children, and the determination of the incidence of social deprivation must be based on the characteristics of the pupils or children and not on the location of the school or provider.

Special arrangements for pupils in maintained nursery schools and nursery classes and for children receiving relevant early years provision, exempt early years provision and community early years provision

16.—(1) Subject to paragraphs (5) and (6), in determining—

- (a) budget shares for nursery schools maintained by it;
- (b) amounts to be allocated in respect of nursery classes in schools maintained by it;
- (c) amounts to be allocated to relevant early years providers in its area;
- (d) amounts to be allocated to exempt early years providers in its area; and
- (e) amounts to be allocated in respect of community early years provision in schools maintained by it,

a local authority must take into account in its formula the predicted total number of hours of attendance of pupils or children, basing the calculation on the most recent data available about the actual numbers of pupils or children.

(2) When further information about hours of attendance becomes available a local authority must—

- (a) review the budget share for each maintained nursery school, the amount allocated in respect of each nursery class and the amount allocated in respect of community early years provision; and
- (b) redetermine that budget share or amount allocated, as the case may be.

(3) When carrying out a review and redetermination under paragraph (2) the local authority must—

- (a) in the case where the local authority decides to fund only prescribed early years provision, take into account—
 - (i) the predicted total number of hours of attendance of pupils in the nursery school or nursery class, and of children being provided community early years provision, who will receive prescribed early years provision during the period (basing the calculation on the actual hours of such attendance in each of at least three sample weeks); or
 - (ii) the actual total number of hours of such attendance for the period;
- (b) in the case where the local authority decides to fund early years provision in excess of that which is prescribed, take into account—
 - (i) the predicted total number of hours of attendance of pupils in the nursery school or nursery class, and of children being provided community early years provision, who will receive early years provision during the period (basing the calculation on the actual hours of such attendance in each of at least three sample weeks); or
 - (ii) the actual total number of hours of such attendance for the period.

(4) When further information about hours of attendance becomes available, a local authority must—

- (a) review the amount allocated to each relevant early years provider and exempt early years provider; and
- (b) redetermine the amount allocated.

(5) When carrying out a review and redetermination under paragraph (4) the local authority must take into account—

- (a) the predicted total number of hours of attendance of children who will receive prescribed early years provision from the relevant early years provider, or exempt early years provision from the exempt early years provider, as the case may be, during the period (basing the calculation on the actual hours of such attendance in each of at least three sample weeks); or
- (b) the actual total numbers of hours of such attendance for the period.

(6) Within 28 days of making any redetermination under paragraph (2) or (4), the local authority must give notice of the redetermination and the date on which it will be implemented to the governing body of the school, the relevant early years provider, or the exempt early years provider concerned.

(7) When making determinations under this regulation, a local authority may weight the predicted total number of hours of attendance of pupils or children, according to the special educational needs of any such pupils or children.

(8) When determining—

- (a) budget shares for nursery schools maintained by it;
- (b) amounts to be allocated in respect of nursery classes in schools maintained by it;
- (c) amounts to be allocated to relevant early years providers in its area;
- (d) amounts to be allocated to exempt early years providers in its area;
- (e) amounts to be allocated in respect of community early years provision in schools maintained by it,

a local authority may take into account in its formula the number of places it wishes to fund in the school, class or provider (instead of the predicted total number of hours of attendance), where the authority has reserved those places for children with special educational needs, children in need or children who meet the condition prescribed by regulation 3(2) of the 2014 Early Years Regulations.

(9) In paragraph (8) “children in need” means children in respect of whom the local authority in whose area they reside must provide a range of services appropriate to their needs under section 17 of the 1989 Act.

(10) A local authority must include in the amount to be allocated to each early years provider in its area which has one or more children eligible for the early years pupil premium an amount equivalent to 53 pence per eligible child for each hour of early years provision that the child receives, up to a maximum of 570 hours.

(11) A child is eligible for early years pupil premium if the child—

- (a) is three or four years old;
- (b) receives at least one hour of prescribed early years provision; and
- (c) either—
 - (i) the child’s parents are receiving one or more of the benefits in paragraph (12), or
 - (ii) the child has previously been looked after by the local authority and is no longer so looked after as a result of the making of an order in paragraph (13).

(12) The benefits are—

- (a) universal credit;
- (b) income support;
- (c) income-based jobseekers’ allowance;
- (d) income-related employment and support allowance;
- (e) support under Part VI of the Immigration and Asylum Act 1999;
- (f) the guaranteed element of state pension credit;
- (g) child tax credit (where the recipient is not also entitled to working tax credit and has an annual gross income of no more than £16,190), and
- (h) working tax credit run-on.

(13) The orders are—

- (a) an adoption order within the meaning given by section 46(1) of the Adoption and Children Act 2002(a);
- (b) a special guardianship order within the meaning given by section 14A(1) of the 1989 Act(b); and
- (c) a child arrangements order within the meaning given by section 8(1) of the 1989 Act(c) which consists of, or includes, arrangements relating to either or both of the following—
 - (i) with whom the child is to live;
 - (ii) when the child is to live with any person.

(14) A local authority must include in the amount to be allocated for relevant early years provision or community early years provision in its area an amount of £302.10 (equivalent to 53 pence multiplied by 570) for each looked after child aged three or four years old in the local authority’s area.

(15) The allocation referred to in paragraph (14) must be managed by the local authority’s designated virtual school head for the benefit of the educational needs of the relevant looked after children as described in their personal education plans (that is, plans relating to the children’s education and training, including as far as is relevant and reasonably practicable the information in paragraph 2 of Schedule 1 to the Care Planning, Placement and Case Review (England) Regulations 2010(d)).

(a) 2002 c.38.

(b) Section 14A was inserted by section 115(1) of the Adoption and Children Act 2002.

(c) Section 8(1) was amended by section 12 of the 2014 Act.

(d) S.I. 2010/959.

(16) In paragraph (15), “virtual school head” means a person appointed by a local authority under section 22(3B) of the 1989 Act^(a) for the purpose of discharging the local authority’s duty set out in section 22(3A) of that Act (duty to promote the educational achievement of children looked after by the authority).

Differential funding

17. For the purpose of determining or redetermining—

- (a) budget shares for nursery schools maintained by it;
- (b) amounts to be allocated in respect of nursery classes in schools maintained by it;
- (c) amounts to be allocated to relevant early years providers in its area;
- (d) amounts to be allocated to exempt early years providers in its area; and
- (e) amounts to be allocated in respect of community early years provision in schools maintained by it,

a local authority may use factors or criteria which differentiate between different categories or descriptions of school or provider on the basis of unavoidable costs.

Additional requirements, factors or criteria

18.—(1) Subject to paragraph (3), in determining budget shares, a local authority may take into account in its formula any or all of the requirements, factors or criteria in Part 1 of Schedule 3, and where it does the date for ascertaining pupil numbers is 2nd October 2014, except where these Regulations provide otherwise.

(2) In determining—

- (a) budget shares for nursery schools maintained by it;
- (b) amounts to be allocated in respect of nursery classes in schools maintained by it;
- (c) amounts to be allocated to relevant early years providers in its area;
- (d) amounts to be allocated to exempt early years providers in its area; and
- (e) amounts to be allocated in respect of community early years provision in schools maintained by it,

a local authority may take into account in its formula any or all of the requirements, factors or criteria in Part 2 of Schedule 3.

(3) The requirements, factors and criteria in Schedule 3 may not be taken into account by a local authority on the basis of actual or estimated cost unless otherwise stated in that Schedule.

(4) Subject to paragraphs (5) to (7), where a school would otherwise receive a greater amount of redetermined adjusted budget share per pupil than it did in the previous funding period, the local authority may do one or both of the following—

- (a) determine a percentage beyond which the per pupil amount of redetermined adjusted budget may not increase;
- (b) determine a percentage by which the amount that the per pupil redetermined adjusted budget share would otherwise increase by will be reduced.

(5) In paragraph (4) “redetermined adjusted budget share for the previous funding period” and “redetermined adjusted budget share” have the same meanings as in Schedule 4.

(6) Where the local authority decides to take one or both of the actions described in paragraph (4)(a) and (b), this must be applied to the budget shares of all schools in the local authority area.

(7) Paragraph (4) does not apply to the determination of budget shares for—

(a) Section 22(3A) was inserted by section 52 of the Children Act 2004 (c. 31); section 22(3B) was inserted by section 99 of the 2014 Act.

- (a) special schools;
- (b) pupil referral units;
- (c) nursery schools; and
- (d) any school that has opened since 1st April 2008 and does not yet have pupils in each year group for which it proposes to provide education.

Minimum funding guarantee

19.—(1) Subject to paragraph (4), in determining and redetermining budget shares for primary and secondary schools maintained by it, a local authority must ensure that an amount equal to the guaranteed funding level is included, calculated in accordance with Schedule 4.

(2) For the purpose of determining budget shares, paragraph (1) does not apply to any school opening during the funding period, except in the circumstances set out in paragraph 3 of Schedule 4.

(3) In determining and redetermining—

- (a) budget shares for nursery schools maintained by it;
- (b) amounts to be allocated in respect of nursery classes in schools maintained by it;
- (c) amounts to be allocated to relevant early years providers in its area; and
- (d) amounts to be allocated to exempt early years providers in its area,

a local authority must ensure that the number by which it multiplies the predicted total number of hours calculated under regulation 16(1) is no lower than 1.5% less than the number by which it multiplied the predicted total number of hours calculated under regulation 16(1) of the 2013 Regulations for making such determinations and redeterminations in the previous funding period.

(4) A local authority may change the operation of this regulation and the operation of Schedule 4 in determining and redetermining budget shares where authorised to do so by the Secretary of State under regulation 25 (Alternative arrangements).

Sixth form funding

20.—(1) A local authority must include in the budget shares of maintained secondary schools and special schools an amount equal to any sum notified to the local authority by the Secretary of State as being the allocation in respect of that school's sixth form grant.

(2) A local authority may, in determining budget shares, use a factor which allocates funding in respect of the number of pupils in sixth forms on 2nd October 2014 subject to the limitation in paragraph (3).

(3) Where a local authority uses a factor in determining budget shares under paragraph (2), it must ensure that the amount allocated per pupil in respect of this factor in the funding period is no greater than the amount that was allocated per pupil in sixth forms in the previous funding period.

(4) A local authority must redetermine the budget share of a secondary school before the end of the funding period where the authority receives a written notification from the Secretary of State of a revised allocation in respect of the sum referred to in paragraph (1).

New schools, merged schools and closing schools

21.—(1) Where in the funding period, but excluding 1st April 2015, a new maintained school opens and is a replacement for two or more maintained schools that are discontinued during the funding period, a local authority must calculate the budget share of the new school by adding together the budget shares of the schools that have been discontinued.

(2) Except where paragraph (1) applies, a local authority must determine a budget share for—

- (a) any new maintained school in its area, and
- (b) any school that has opened since 1st April 2008 and does not yet have pupils in each year group for which the school proposes to provide education,

from the date of the school's opening on the basis of expected pupil numbers during the funding period estimated by the authority, and regulation 13 does not apply.

(3) Where a school to which paragraph (2) applies was funded on the basis of estimated pupil numbers in the previous funding period, the local authority may take account of any difference between estimated and actual pupil numbers in the previous funding period when estimating pupil numbers for the funding period.

(4) Where in the previous funding period or on 1st April 2015 a new maintained school opened or opens and is a replacement for two or more maintained schools that were discontinued during the previous funding period or on 1st April 2015, a local authority must include in the budget share of the new school an amount equal to 85% of the total amount which the schools that it replaced would have been allocated in their budget shares under paragraphs 1 and 2 of Schedule 3 (single sums) if the schools had not been discontinued.

(5) Where paragraph (4) applies, no single sum is to be included in the new school's budget share under paragraph 1 or 2 of Schedule 3.

(6) A local authority must determine a budget share for any maintained school in its area which is to be discontinued in the funding period up to the date when the school is discontinued in accordance with this Part.

(7) A local authority may change the operation of this regulation where authorised to do so by the Secretary of State under regulation 25 (Alternative arrangements).

Federated schools

22.—(1) Subject to paragraphs (2) and (3), where two or more maintained schools are federated under section 24 of the 2002 Act, the local authority must determine a budget share for each school in accordance with Part 3 of these Regulations.

(2) After carrying out the determination under paragraph (1) the local authority may treat the schools as a single school for the purposes of these Regulations and, accordingly, allocate a single budget share to the governing body of the federation.

(3) Where the local authority decides to allocate a single budget share to the governing body of a federation under paragraph (2), it must determine it by combining the budget shares of all the schools that form part of that federation.

(4) Where one or more schools are to leave a federation which has been allocated a single budget share under paragraph (2), the local authority must—

- (a) determine the budget share for each of the leaving schools, and
- (b) redetermine the budget share for the federation,

in accordance with Part 3 of these Regulations.

CHAPTER 2

Adjustments, Correction of Errors, and Alternative Arrangements Authorised by the Secretary of State

Pupils permanently excluded from, or leaving, maintained schools

23.—(1) Where a pupil is permanently excluded from a school maintained by a local authority (other than a special school, a pupil referral unit, or a place which the authority has reserved for children with special educational needs) ("the excluding school") the authority must redetermine the excluding school's budget share in accordance with paragraph (2).

(2) The excluding school's budget share must be reduced by $A \times (B/52) + C$ where—

- (a) A is the amount determined by the authority in accordance with this Part that would be attributable to a pupil of the same age and personal circumstances as the pupil in question at primary or secondary schools maintained by the authority for the full funding period;
- (b) B is either—

- (i) the number of complete weeks remaining in the funding period calculated from the relevant date; or
 - (ii) where the permanent exclusion takes effect on or after 1st April in a school year^(a) at the end of which pupils of the same age, or age group, as the pupil in question normally leave that school before being admitted to another school with a different pupil age range, the number of complete weeks remaining in that school year calculated from the relevant date; and
- (c) *C* is the amount of the adjustment made to the school's budget share under a financial adjustment order.
- (3) Where a pupil who has been permanently excluded from the excluding school and is admitted to another school maintained by a local authority (other than a special school, a pupil referral unit, or to a place which the authority has reserved for children with special educational needs) ("the admitting school") in the funding period, the authority must redetermine the admitting school's budget share in accordance with paragraphs (4) and (5).
- (4) The admitting school's budget share must be increased by an amount which is not less than $D \times (E / F)$ where—
- (a) *D* is the amount by which the authority reduced the budget share of the excluding school, or would have reduced the budget share if that school had been maintained by the authority, except that any reduction in the excluding school's budget share made under a financial adjustment order must not be taken into account for these purposes;
 - (b) *E* is the number of complete weeks remaining in the funding period during which the pupil is a pupil at the admitting school; and
 - (c) *F* is the number of complete weeks remaining in the funding period calculated from the relevant date.
- (5) In redetermining the admitting school's budget share, the authority may increase it by any amount up to the amount of the adjustment made by the excluding school's budget share under a financial adjustment order.
- (6) Where a permanently excluded pupil is subsequently reinstated by the governing body of the school, the school's budget share must be increased by an amount which is no less than $G \times (H / I)$ where—
- (a) *G* is the amount by which the authority reduced the school's budget share under paragraph (2);
 - (b) *H* is the number of complete weeks remaining in the funding period during which the pupil is reinstated; and
 - (c) *I* is the number of complete weeks remaining in the funding period calculated from the relevant date.
- (7) Paragraphs (1) and (2) also apply where a pupil leaves a maintained school (other than a special school, a pupil referral unit, or a place which the authority has reserved for children with special educational needs) for reasons other than permanent exclusion and is receiving education funded by a local authority other than at a school which is maintained by that authority.
- (8) For the purposes of paragraph (2)(a), the amount attributable to a pupil is the sum of the amounts determined in accordance with the authority's formula, by reference to pupil numbers rather than by reference to any other factor or criterion not dependent on pupil numbers (except that where a sixth form grant is payable in respect of the pupil in question, the amount attributable to that pupil is £4,000 for the funding period).
- (9) Where a pupil in respect of whom a pupil premium is payable has been permanently excluded from a school maintained by a local authority ("the excluding school"), the local authority must redetermine the excluding school's budget share in accordance with paragraph (10).

(a) "School year" is defined in section 579(1) of the 1996 Act.

(10) The excluding school's budget share must be reduced by $J \times (K / 52)$ where—

- (a) J is the amount of the pupil premium allocated to the excluding school for the funding period in respect of that child; and
- (b) K is either—
 - (i) the number of complete weeks remaining in the funding period calculated from the relevant date; or
 - (ii) where the permanent exclusion takes effect on or after 1st April in a school year at the end of which pupils of the same age, or age group, as the pupil in question normally leave that school before being admitted to another school with a different pupil age range, the number of complete weeks remaining in that school year calculated from the relevant date.

(11) Where a pupil in respect of whom a pupil premium is payable has been permanently excluded from a school maintained by a local authority and admitted to another school maintained by a local authority ("the admitting school") in the funding period, the authority must redetermine the budget share of the admitting school in accordance with paragraph (12).

(12) The admitting school's budget share must be increased by an amount which is not less than $L \times (M / N)$ where—

- (a) L is the amount by which the authority reduced the budget share of the excluding school or would have reduced the budget share had that school been maintained by the authority;
- (b) M is the number of complete weeks remaining in the funding period during which the pupil is a pupil at the admitting school; and
- (c) N is the number of complete weeks remaining in the funding period calculated from the relevant date.

(13) Where a permanently excluded pupil in respect of whom a pupil premium is payable is subsequently reinstated by the governing body of the school, the school's budget share must be increased by an amount which is no less than $O \times (P / Q)$ where—

- (a) O is the amount by which the authority reduced the school's budget share under paragraph (10);
- (b) P is the number of complete weeks remaining in the funding period during which the pupil is reinstated; and
- (c) Q is the number of complete weeks remaining in the funding period calculated from the relevant date.

(14) Paragraphs (9) and (10) also apply where a pupil in respect of whom a pupil premium is payable leaves a maintained school for reasons other than permanent exclusion and is receiving education funded by a local authority other than at a school which is maintained by that authority.

(15) For the purposes of this regulation—

- (a) "the relevant date" is the sixth school day following the date on which the pupil has been permanently excluded; and
- (b) "a financial adjustment order" means an order for the adjustment of a school's budget share made under regulation 25(5)(b) of the School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012^(a) in respect of the exclusion of the pupil from the excluding school.

Correction of errors and changes in non-domestic rates

24.—(1) A local authority may at any time during the funding period redetermine a maintained school's budget share, the amount allocated to a relevant early years provider, or the amount allocated to an exempt early years provider, for the funding period or any previous funding period

(a) S.I. 2012/1033.

in order to correct an error in a determination or redetermination made under these Regulations or any previous regulations made under sections 47 or 47ZA of the 1998 Act, whether arising from a mistake as to the number of pupils at the school or otherwise, and any such redetermination will take effect in the next financial year following the funding period.

(2) A local authority may redetermine a school's budget share to take into account any changes in that school's non-domestic rate liability in relation to the funding period or any previous funding period.

(3) In so far as any redetermination under paragraph (1) would require the amount that would otherwise have been the budget share of a school to be reduced, it may not be reduced to a figure which is lower than that which could have been allocated to that school under the Regulations in force during the funding period in which the error occurred.

Alternative arrangements approved by the Secretary of State

25.—(1) Subject to paragraph (2), on application by a local authority, the Secretary of State may authorise the authority to—

- (a) disregard the limits referred to in paragraph 5 of Schedule 2 when deducting any expenditure referred to in regulation 8(3) (central services expenditure);
- (b) deduct any expenditure referred to in regulation 8(9)(a) (expenditure falling outside Schedule 2);
- (c) alter the operation of regulation 11(3) (additional expenditure on children with special educational needs);
- (d) determine or redetermine budget shares of schools maintained by it;
- (e) determine or redetermine amounts to be allocated in respect of nursery classes in schools maintained by it;
- (f) determine or redetermine amounts to be allocated to relevant early years providers in its area;
- (g) determine or redetermine amounts to be allocated to exempt early years providers in its area;
- (h) include additional factors or criteria in its formula under regulation 10(1) (formula for determining budget shares) where the nature of a school's premises exceptionally gives rise to significant additional cost;
- (i) include additional factors or criteria that the authority proposes to include in its formula under regulation 10(3) (early years single funding formula);
- (j) vary the amount by which a school's redetermined adjusted budget share must be reduced for the purpose of determining the guaranteed level of funding in paragraph 1 of Schedule 4;
- (k) disregard regulation 13 (Pupil numbers);
- (l) alter the operation of regulation 21 (New schools, merged schools and closing schools) in respect of particular schools; and
- (m) alter the operation of paragraphs 14 (primary sparsity) and 15 (secondary sparsity) of Schedule 3 in respect of particular schools.

(2) The Secretary of State may authorise the matters in paragraph (1) to such extent as he or she may specify in accordance with arrangements approved in place of the arrangements provided for by these Regulations.

PART 4

Schemes

Required content of schemes

26. A scheme prepared by a local authority under section 48(1) of the 1998 Act must deal with the matters connected with the financing of schools maintained by the authority set out in Schedule 5.

Approval by the schools forum or the Secretary of State of proposals to revise schemes

27.—(1) Where a local authority submits a copy of its proposals to revise its scheme to its schools forum for approval under paragraph 2A(3)(b) of Schedule 14 to the 1998 Act, the members of the schools forum who represent schools maintained by the authority may—

- (a) approve the proposals;
- (b) approve the proposals with modifications; or
- (c) refuse to approve the proposals.

(2) Where the schools forum approves the proposals to revise the scheme, it may specify the date on which the revised scheme is to come into force.

(3) The local authority may apply to the Secretary of State for approval of proposals submitted under paragraph 2A(3)(b) of Schedule 14 to the 1998 Act where—

- (a) the schools forum refuses to approve the proposals, or approves them with modifications which are not acceptable to the local authority; or
- (b) the local authority is not required to establish a schools forum for its area.

(4) The Secretary of State may—

- (a) approve the proposals;
- (b) approve the proposals with modifications; or
- (c) refuse to approve the proposals.

(5) When approving proposals, the Secretary of State may specify the date on which the revised scheme is to come into force.

(6) No revised scheme is to come into force unless approved by the schools forum or the Secretary of State in accordance with this regulation.

Publication of schemes

28.—(1) A local authority—

- (a) must publish its scheme on a website which is accessible to the general public; and
- (b) may publish it elsewhere.

(2) Whenever a local authority revises the whole or part of its scheme, it must publish the scheme as revised on a website which is accessible to the general public by the date that the revisions are due to come into force, together with a statement that the revised scheme comes into force on that date.

18th December 2014

David Laws
Minister of State
Department for Education

CLASSES OR DESCRIPTIONS OF PLANNED EXPENDITURE PRESCRIBED FOR THE PURPOSES OF THE NON-SCHOOLS EDUCATION BUDGET OF A LOCAL AUTHORITY

Special educational provision

1. Expenditure on services provided by educational psychologists.
2. Expenditure in connection with the local authority's functions under—
 - (a) sections 321 to 331 of the 1996 Act (which functions relate to the identification and assessment of children with special educational needs and the making, maintaining and reviewing of statements for such children); and
 - (b) sections 22, 36, 37 and 44 of the 2014 Act (which functions relate to the identification of children and young people with special educational needs and disabilities; the assessment of education, health and care needs; and the preparation and review of EHC plans).
3. Expenditure on monitoring the provision for pupils in schools for the purposes of disseminating good practice in relation to, and improving the quality of educational provision for, children with special educational needs.
4. Expenditure on collaboration with other statutory and voluntary bodies to provide support for children with special educational needs.
5. Expenditure in connection with—
 - (a) the provision of parent partnership services (that is, services provided under section 32 of the 2014 Act to give advice and information to parents of children with special educational needs), or other guidance and information to such parents which, in relation to pupils at a school maintained by the authority, are in addition to the information usually provided by the governing bodies of such schools; and
 - (b) arrangements made by the authority with a view to avoiding or resolving disagreements with the parents of children with special educational needs.
6. Expenditure on carrying out the authority's child protection functions under the 1989 Act, functions under section 175 of the 2002 Act (duties in relation to welfare of children), and other functions relating to child protection.
7. Expenditure incurred in entering into, or subsequently incurred under, an arrangement under section 31 of the Health Act 1999^(a) or regulations made under section 75 of the National Health Service Act 2006^(b) (arrangements between NHS bodies and local authorities).
8. Expenditure on the provision of special medical support for individual children in so far as such expenditure is not met by an NHS Trust, NHS foundation trust, Clinical Commissioning Group or Local Health Board.

School improvement

9. Expenditure incurred by a local authority in respect of action to support the improvement of standards in schools in the authority's area, in particular expenditure incurred in connection with functions under the following sections of the 2006 Act—

(a) 1999 c.8. Section 31 was repealed by section 6 of, and Schedule 4 to, the National Health Service (Consequential Provisions) Act 2006 (c.43) but section 4 of, and paragraph 1 of Schedule 2 to, that Act contains a savings provision which means that arrangements made under section 31 of the 1999 Act continue to have effect as if made under section 75 of the National Health Service Act 2006.

(b) 2006 c. 41.

- (a) section 60(a) (performance standards and safety warning notice);
- (b) section 60A(b) (teachers' pay and conditions warning notice);
- (c) section 63(c) (power of local authority to require governing bodies of schools eligible for intervention to enter into arrangements);
- (d) section 64(d) (power of local authority to appoint additional governors);
- (e) section 65 (power of local authority to provide for governing bodies to consist of interim executive members) and Schedule 6; and
- (f) section 66(e) (power of local authority to suspend right to delegated budget).

Access to education

10. Expenditure in relation to—

- (a) management of the authority's capital programme including preparation and review of an asset management plan and negotiation and management of private finance transactions;
- (b) planning and managing the supply of school places, including the authority's functions in relation to the establishment, alteration or discontinuance of schools under Part 2 of, and Schedule 2 to, the 2006 Act;
- (c) the authority's functions in relation to the exclusion of pupils from schools, excluding any provision of education to excluded pupils, but including advice to the parents of such pupils;
- (d) the authority's functions under sections 508A to 509A(f) (school travel) of the 1996 Act; and
- (e) the authority's functions under section 510 of the 1996 Act (provision and administration of clothing grants) and under regulations made under section 518(2) of the 1996 Act.

11. Expenditure arising from the authority's functions under Chapter 2 of Part 6 of the 1996 Act (school attendance).

12. Expenditure on the provision of support for students under regulations made under section 1(1) of the 1962 Act(g) and under section 22 of the Teaching and Higher Education Act 1998(h).

13. Expenditure on discretionary grants paid under section 1(6) or 2 of the 1962 Act (awards for designated and other courses).

14. Expenditure on the payment of 16-19 Bursaries(i).

15. Expenditure on the provision of tuition in music, or on other activities which provide opportunities for pupils to enhance their experience of music.

16. Expenditure incurred in enabling pupils to enhance their experience of the visual, creative and performing arts other than music.

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- (a) Section 60 was amended by section 203 of, and paragraph 3 of Schedule 13 to, the 2009 Act.
 - (b) Section 60A was inserted by section 203 of, and paragraph 4 of Schedule 13 to, the 2009 Act.
 - (c) Section 63 was amended by section 203 of, and paragraphs 5(2) and 5(3) of Schedule 13 to, the 2009 Act.
 - (d) Section 64 was amended by section 203 of, and paragraphs 6(2) to 6(5) of Schedule 13 to, the 2009 Act.
 - (e) Section 66 was amended by section 203 of, and paragraphs 7(a) and (b) of Schedule 13 to, the 2009 Act.
 - (f) Sections 508A to 509A were inserted by sections 57 and 76 to 78 of the 2006 Act and amended by section 103(1) of, and paragraph 23 of Schedule 2 to, the Childcare Act 2006 and section 54 of, and paragraphs 9(10) to 9(12) of Schedule 13 to, the Education Act 2011.
 - (g) The 1962 Act was repealed by the Teaching and Higher Education Act 1998 (c.30) with transitional savings provisions. The repeal does not affect the continued operation of the provisions that relate to the making of subordinate legislation. Relevant regulations made under section 1(1) of the 1962 Act are the Education (Mandatory Awards) Regulations 2003 (S.I. 2003/1994), as amended by S.I. 2004/1038 and S.I. 2004/1792. These regulations describe the designated courses and methodology for calculating grants.
 - (h) 1998 c.30.
 - (i) A 16-19 Bursary is financial assistance under section 14 of the 2002 Act paid to, or in respect of, a person who is aged 16 to 19 in connection with undertaking any course or training.

17. Expenditure on outdoor education centres, but not including centres wholly or mainly for the provision of organised games, swimming or athletics.

Additional education and training for children, young persons and adults

18. Expenditure on the provision of education and training and of organised leisure time occupation, and other provision under sections 15ZA and 15ZC of the 1996 Act(a).

19. Expenditure on the provision by the local authority under sections 507A and 507B of the 1996 Act(b) of recreation, social and physical training, educational leisure time activities and recreational leisure time activities.

Strategic management

20.—(1) Expenditure on education functions related to—

- (a) functions of the director of children's services and the personal staff of the director;
- (b) planning for the education service as a whole;
- (c) functions of the authority under Part I of the Local Government Act 1999(c) (Best Value) and the provision of advice to assist governing bodies in procuring goods and services with a view to securing continuous improvement in the way the functions of those governing bodies are exercised, having regard to a combination of economy, efficiency and effectiveness;
- (d) revenue budget preparation, preparation of information on income and expenditure relating to education for incorporation into the authority's annual statement of accounts, and the external audit of grant claims and returns relating to education;
- (e) administration of grants to the authority (including preparation of applications), functions imposed by or under Chapter 4 of Part 2 of the 1998 Act (financing of maintained schools) and, where it is the authority's duty to do so, ensuring payments are made in respect of taxation, national insurance and superannuation contributions;
- (f) authorisation and monitoring of expenditure—
 - (i) which is not met from schools' budget shares, and
 - (ii) in respect of schools which do not have delegated budgets, and all related financial administration;
- (g) the formulation and review of the methods of allocating resources to schools and other bodies;
- (h) the authority's monitoring of compliance with the requirements of its financial scheme prepared under section 48 of the 1998 Act, and any other requirements in relation to the provision of community facilities by governing bodies under section 27 of the 2002 Act;
- (i) internal audit and other tasks necessary for the discharge of the authority's chief finance officer's responsibilities under section 151 of the Local Government Act 1972(d);
- (j) the authority's functions under regulations made under section 44 of the 2002 Act(e);
- (k) recruitment, training, continuing professional development, performance management and personnel management of staff who are funded by expenditure not met from schools' budget shares and who are paid for services carried out in relation to those of the authority's functions and services which are referred to in other paragraphs of this Schedule;

(a) Sections 15ZA and 15ZC were inserted by section 41 of the 2009 Act.

(b) Sections 507A and 507B were inserted by section 6(1) of the 2006 Act.

(c) 1999 c.27.

(d) 1972 c.70.

(e) Relevant regulations made under section 44 of the 2002 Act are the Consistent Financial Reporting (England) Regulations 2012 (S.I. 2012/674).

- (l) investigations which the authority carries out of employees, or potential employees, of the authority, or of governing bodies of schools, or of persons otherwise engaged, or to be engaged, with or without remuneration to work at or for schools;
 - (m) functions of the authority in relation to local government superannuation which it is not reasonably practicable for another person to carry out, and functions of the authority in relation to the administration of teachers' pensions;
 - (n) retrospective membership of pension schemes and retrospective elections made in respect of pensions where it would not be appropriate to expect the governing body of a school to meet the cost from the school's budget share;
 - (o) advice, in accordance with the authority's statutory functions, to governing bodies in relation to staff paid, or to be paid, to work at a school, and advice in relation to the management of all such staff collectively at any individual school, including in particular advice with reference to alterations in remuneration, conditions of service and the collective composition and organisation of such staff;
 - (p) determination of conditions of service for non-teaching staff, and advice to schools on the grading of such staff;
 - (q) the authority's functions regarding the appointment or dismissal of employees;
 - (r) consultation and functions preparatory to consultation with or by governing bodies, pupils and persons employed at schools or their representatives, or with other interested bodies;
 - (s) compliance with the authority's duties under the Health and Safety at Work etc Act 1974^(a) and the relevant statutory provisions as defined in section 53(1) of that Act, in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by the authority in monitoring the performance of such tasks by governing bodies and, where necessary, giving them advice;
 - (t) the investigation and resolution of complaints;
 - (u) legal services relating to the statutory functions of the authority;
 - (v) the preparation and review of plans involving collaboration with other local authority services or with public or voluntary bodies;
 - (w) provision of information to or at the request of the Crown and the provision of other information which the authority is under a duty to make available;
 - (x) the authority's functions pursuant to regulations made under section 12 of the 2002 Act (supervising authorities of companies formed by governing bodies); and
 - (y) the authority's functions under the discrimination provisions of the Equality Act 2010^(b) in so far as compliance cannot reasonably be achieved through tasks delegated to the governing bodies of schools; but including expenditure incurred by the authority in monitoring the performance of such tasks by governing bodies and, where necessary, giving them advice.
- (2) References to schools in this paragraph are to schools maintained by the authority.

Other functions

21. Expenditure in pursuance of a binding agreement, where the other party is a local authority, or the other parties include one or more local authorities, in relation to the operation of a facility provided partly, but not solely, for the use of schools.

22. Expenditure on establishing and maintaining those electronic computer systems, including data storage, which are intended primarily to maintain linkage between local authorities and schools which they maintain.

^(a) 1974 c.37.

^(b) 2010 c.15.

23. Expenditure on monitoring National Curriculum assessment arrangements required by orders made under section 87 of the 2002 Act.

24. Expenditure in connection with the authority's functions in relation to the standing advisory council on religious education constituted by the authority under section 390 of the 1996 Act(a) or on the reconsideration and preparation of an agreed syllabus of religious education in accordance with Schedule 31 to the 1996 Act.

25. Expenditure in respect of the dismissal or premature retirement of, or for the purpose of securing the resignation of, or in respect of acts of discrimination against, any person except to the extent that these costs are chargeable to maintained schools' budget shares or fall within paragraph 4(b) of Schedule 2.

26. Expenditure on the appointment of governors, the making of instruments of government, the payment of expenses to which governors are entitled and which are not payable from a maintained school's budget share, and the provision of information to governors.

27. Expenditure on making pension payments, other than in respect of staff employed in maintained schools.

28. Expenditure on insurance, other than for liability arising in connection with maintained schools or maintained school premises.

29. Expenditure in connection with powers and duties performed under Part 2 of the Children and Young Persons Act 1933(b) (enforcement of, and power to make byelaws in relation to, restrictions on the employment of children).

SCHEDULE 2

Regulations 6 and 8

CLASSES OR DESCRIPTIONS OF PLANNED EXPENDITURE PRESCRIBED FOR THE PURPOSES OF THE SCHOOLS BUDGET OF A LOCAL AUTHORITY WHICH MAY BE DEDUCTED FROM IT TO DETERMINE THE INDIVIDUAL SCHOOLS BUDGET

PART 1

Central Services

1. Expenditure on the operation of the system of admissions of pupils to schools (including expenditure incurred in carrying out consultations under section 88C(2) of the 1998 Act(c)) and in relation to appeals.

2. Expenditure in connection with the authority's functions under section 47A of the 1998 Act (establishment and maintenance of, and consultation with, schools forums).

3. CERA incurred for purposes not falling within any other paragraph of this Schedule or Schedule 1.

4. Expenditure in respect of—

(a) prudential borrowing;

(b) termination of employment costs, where the schools forum has approved the charging of these costs to the schools budget for the funding period in which they were incurred and

(a) Section 390 was amended by section 140(1) of, and paragraph 93 of Schedule 20 to, the 1998 Act.

(b) 1933 c.12.

(c) Section 88C(2) was amended by section 51 of, and Schedule 4 to, the 2002 Act and sections 45 and 56 of the 2006 Act.

the revenue savings achieved by the termination of employment to which they relate are equal to or greater than the costs incurred;

- (c) services (often known as combined budgets) funded partly from central expenditure and partly from other budgets of the local authority or contributions from other bodies, where the expenditure relates to classes or descriptions of expenditure falling outside those in this Schedule;
- (d) special educational needs transport costs; and
- (e) purposes not falling within any other paragraph of this Schedule, provided that the expenditure does not amount in total to more than 0.1% of the authority's schools budget,

which was approved by the schools forum or the Secretary of State before 1st April 2013.

5. Any deductions under any of paragraphs 1, 2, 3, 4(a), 4(b), 4(c), 4(d) and 4(e) must not exceed the amount deducted under each of the corresponding paragraphs of Part 1 of Schedule 2 to the 2013 Regulations for the previous funding period.

PART 2

Central Schools Expenditure

6. Expenditure on pay arrears due to staff employed at maintained schools and other staff whose salaries are met from the schools budget, and expenditure on the costs of financing payment of such arrears, where the expenditure is not chargeable to a maintained school's budget share under the terms of the local authority's scheme.

7. Expenditure under section 18 of the 1996 Act^(a) in making any grant or other payment in respect of fees or expenses (of whatever nature) which are payable in connection with the attendance of pupils at a school which is not maintained by any local authority.

8. Expenditure due to a significant growth in pupil numbers as a result of the local authority's duty under section 13(1) of the 1996 Act to secure that efficient primary education and secondary education are available to meet the needs of the population of its area.

9. Expenditure to be incurred due to a decline in pupil numbers in—

- (a) schools which were awarded either the highest or the second highest grade in their last inspection under section 5 of the 2005 Act, including those inspected during the funding period; and
- (b) Academies that have not previously been inspected under section 5 of the 2005 Act and have a predecessor school or schools which were awarded the highest or second highest grade in its last inspection under section 5 of the 2005 Act, including those inspected during the funding period,

where funding is likely to be necessary due to subsequent growth in pupil numbers at such schools before the end of the next three financial years after the funding period.

10. Expenditure to be incurred before the opening of new schools to fund the appointment of staff and to enable the purchase of any goods and services necessary in order to admit pupils.

11. Expenditure to make provision for extra classes in order to comply with the School Admissions (Infant Class Sizes) (England) Regulations 2012^(b).

12. Expenditure on licences which are negotiated centrally by the Secretary of State for all publicly funded schools.

^(a) Section 18 was amended by article 5(1) of, and paragraph 7 of Schedule 2 to, S.I. 2010/1158.

^(b) S.I. 2012/10.

13. Remission of boarding fees payable in connection with the attendance of pupils at maintained schools and Academies under sections 458 or 514 of the 1996 Act or section 10A of the 2010 Act.

PART 3

Central Early Years Expenditure

14. Expenditure on early years provision, excluding expenditure—

- (a) on such provision in a maintained school;
- (b) on relevant early years provision;
- (c) on exempt early years provision;
- (d) on community early years provision, and
- (e) on excluded early years provision.

15. Expenditure on determining—

- (a) the eligibility for free school meals of a pupil who is being provided with early years provision;
- (b) the eligibility of a child for prescribed early years provision; or
- (c) the eligibility of a child for the early years pupil premium.

PART 4

Children And Young People With High Needs

16. Expenditure in respect of pupils with special educational needs in primary and secondary schools, and children with special educational needs in relevant early years providers, exempt early years providers and those being provided with community early years provision, excluding expenditure—

- (a) in respect of pupils in places which the authority has reserved for children with special educational needs; or
- (b) where it would be reasonable to expect such expenditure to be met from a school's budget share, the amount allocated to a relevant early years provider or the general annual grant paid to an Academy by the Secretary of State.

17. Expenditure in respect of pupils—

- (a) with special educational needs at special schools and special Academies; or
- (b) in places at primary or secondary schools which the authority has reserved for children with special educational needs,

where the expenditure cannot be met from the sum referred to in regulation 14(1) or 14(2).

18. Expenditure in respect of persons provided with further education who are—

- (a) aged under 19 and have special educational needs; or
- (b) aged over 18 but under 25 and are subject to learning difficulty assessment or an EHC plan, and are not attending a school or an Academy.

19. Expenditure on support services for children who have a statement of special educational needs and for children with special educational needs who do not have such a statement.

20. Expenditure for the purposes of encouraging—

- (a) collaboration between special schools and primary and secondary schools to enable children with special educational needs to engage in activities at primary and secondary schools;
- (b) the education of children with special educational needs at primary and secondary schools; and
- (c) the engagement of children with special educational needs at primary and secondary schools in activities at the school with children who do not have special educational needs,

in cases where the local authority considers it would be unreasonable for such expenditure to be met from a school's budget share or the general annual grant paid to an Academy by the Secretary of State.

21. Expenditure incurred in relation to education otherwise than at school under section 19 of the 1996 Act or in relation to a pupil referral unit, where the expenditure cannot be met from the sum referred to in regulation 14(3).

22. Expenditure on the payment of fees in respect of children with special educational needs—

- (a) at independent schools or at special schools which are not maintained by a local authority under section 63 of the 2014 Act; or
- (b) at an institution outside England and Wales under section 320 of the 1996 Act or section 62 of the 2014 Act.

23. Expenditure on hospital education services, aside from expenditure on hospital education places referred to in regulation 14.

24. Expenditure on special schools and pupil referral units in financial difficulty.

25. Expenditure on costs in connection with private finance initiatives and the programme known as “Building Schools for the Future” at special schools, special Academies, pupil referral units and alternative provision Academies as defined in section 1C of the 2010 Act.

26. Expenditure on the purchase of CRC Energy Efficiency Scheme allowances operated by the Environment Agency for pupil referral units.

PART 5

Items That May Be Removed From Maintained Schools' Budget Shares

27. Expenditure (other than expenditure referred to in Schedule 1 or any other paragraph of this Schedule) incurred on services relating to the education of children with behavioural difficulties, and on other activities for the purpose of avoiding the exclusion of pupils from schools.

28. Expenditure on determining the eligibility of a pupil for free school meals.

29. Expenditure on making payments to, or in providing a temporary replacement for, a woman on maternity leave or a person on adoption leave.

30. Expenditure on making payments to, or in providing a temporary replacement for, any person who is—

- (a) carrying out trade union duties or undergoing training under sections 168 and 168A of the Trade Union and Labour Relations (Consolidation) Act 1992(a);
- (b) taking part in trade union activities under section 170 of the Trade Union and Labour Relations (Consolidation) Act 1992;

(a) 1992 c.52; section 168A was inserted by section 43 of the Employment Act 2002 (c.22).

- (c) performing public duties under section 50 of the Employment Rights Act 1996(a);
- (d) undertaking jury service;
- (e) a safety representative under the Safety Representatives and Safety Committees Regulations 1977(b);
- (f) a representative of employee safety under the Health and Safety (Consultation with Employees) Regulations 1996(c);
- (g) an employee representative for the purposes of Chapter 2 of Part 4 of the Trade Union and Labour Relations (Consolidation) Act 1992, as defined in section 196 of that Act or regulation 13(3) of the Transfer of Undertakings (Protection of Employment) Regulations 2006(d);
- (h) taking time off for ante-natal care under section 55 of the Employment Rights Act 1996;
- (i) undertaking duties as a member of the reserve forces as defined in section 1(2) of the Reserve Forces Act 1996(e);
- (j) suspended from working at a school; or
- (k) appointed a learning representative of a trade union, in order for that person to analyse training requirements or to provide or promote training opportunities, and to carry out consultative or preparatory work in connection with such functions.

31. Expenditure on making payments to, or in providing a temporary replacement for, a person who is seconded on a full-time basis for three months or more other than to a local authority or the governing body of a school.

32. Expenditure on making payments to, or in providing a temporary replacement for, persons who have been continuously absent from work because of illness for 21 days or more.

33. Expenditure on insurance in respect of liability arising in connection with schools and school premises.

34. Expenditure on services to schools provided by museums and galleries.

35. Expenditure on library services.

36. Expenditure on licence fees or subscriptions paid on behalf of schools.

37. Expenditure on the schools' specific contingency.

38. Expenditure for the purposes of—

- (a) improving the performance of under-performing pupils from minority ethnic groups; or
- (b) meeting the specific needs of bilingual pupils.

(a) 1996 c.18.

(b) S.I. 1977/500, amended by section 1 of the Employment Rights (Dispute Resolution) Act 1998 (c.8) and S.I. 1996/1513, 1999/860, 1999/2024, 1999/3242, 2005/1541, 2006/594, 2008/960.

(c) S.I. 1996/1513, amended by section 1 of the Employment Rights (Dispute Resolution) Act 1998 (c.8) and S.I. 1999/3242, 2005/1541.

(d) S.I. 2006/246, amended by S.I. 2010/93.

(e) 1996 c.14.

**ADDITIONAL REQUIREMENTS, OR FACTORS OR CRITERIA
WHICH MAY BE TAKEN INTO ACCOUNT, IN A LOCAL
AUTHORITY'S FORMULA UNDER REGULATION 18**

PART 1

Applicable only to budget shares for maintained schools

1. A single sum for primary schools—

- (a) other than middle schools, of an equal amount to be given to each school of up to £175,000 per school; and
- (b) which are middle schools, of an amount to be calculated per school in accordance with the middle school single sum formula.

2. A single sum for secondary schools—

- (a) other than middle schools, of an equal amount to be given to each school of up to £175,000 per school; and
- (b) which are middle schools, of an amount to be calculated per school in accordance with the middle school single sum formula.

3.—(1) Subject to sub-paragraph (5), in respect of pupils at key stages 1 and 2, a single per pupil amount based on the number of pupils in Year 1, Year 2, Year 3, Year 4, Year 5 and Year 6 to whom either sub-paragraphs (2) and (4), or sub-paragraphs (3) and (4), apply.

(2) This sub-paragraph applies to pupils who achieved fewer than 73 points on the Early Years Foundation Stage Profile under the 2008 Document.

(3) This sub-paragraph applies to pupils who achieved fewer than 78 points on the Early Years Foundation Stage Profile under the 2008 Document.

(4) This sub-paragraph applies to pupils who did not achieve expected development in relation to the relevant early learning goals in the Early Years Foundation Stage Profile under the 2012 Document or the 2014 Document.

(5) Where, in respect of the total number of pupils in the local authority, the percentage of those pupils to whom sub-paragraph (4) applies is greater than either—

- (a) the number of pupils to which sub-paragraph (2) applies, expressed as a percentage of the total pupils in the local authority, where the local authority is using sub-paragraph (2) to determine a single per pupil amount under sub-paragraph (1); or
- (b) the number of pupils to which sub-paragraph (3) applies, expressed as a percentage of the total pupils in the local authority, where the local authority is using sub-paragraph (3) to determine a single per pupil amount under sub-paragraph (1),

the authority may moderate the number of pupils to whom sub-paragraph (4) would otherwise apply, in accordance with sub-paragraph (6).

(6) The local authority may moderate the number of pupils to whom sub-paragraph (4) would otherwise apply by multiplying that number by a number between zero and one, but only where the resulting number, expressed as a percentage of the number of pupils in the authority's area, is not less than the number referred to in sub-paragraph (5)(a) or (b), as appropriate.

4. In respect of pupils at key stages 3 and 4, a single per pupil amount based on—

- (a) the number of pupils who were assessed as achieving level 3 or lower in English or mathematics at key stage 2 under any arrangements predating the 2014 ARA, and

- (b) the number of pupils who were assessed under the 2014 ARA as achieving level 3 or lower in mathematics or English reading under the tests referred to in paragraph 4.1 of the 2014 ARA or the teacher assessment of English writing referred to in the 2014 ARA.
- 5.** A single per pupil amount for each pupil, based on the number of pupils in Year 1, Year 2 and at key stage 2 whose first language is not English, where—
- (a) the pupil was not recorded as attending a school or schools in England on any school census before 4th October 2012;
 - (b) the pupil was not recorded as attending a school or schools in England on any school census before 3rd October 2013; or
 - (c) the pupil was not recorded as attending a school or schools in England on any school census before 2nd October 2014.
- 6.** A single per pupil amount for each pupil, based on the number of pupils at key stages 3 and 4 whose first language is not English, where—
- (a) the pupil was not recorded as attending a school or schools in England on any school census before 4th October 2012;
 - (b) the pupil was not recorded as attending a school or schools in England on any school census before 3rd October 2013; or
 - (c) the pupil was not recorded as attending a school or schools in England on any school census before 2nd October 2014.
- 7.—**(1) Where the total number of pupils to whom sub-paragraph (2)(a) and (b) applies is more than 10% of the total number of pupils at key stages 1 and 2 in the school, a single per pupil amount for every pupil in excess of that 10%.
- (2) This sub-paragraph applies to pupils at key stages 1 and 2 who joined the school in the previous three academic years at any time other than August or September, excluding—
- (a) pupils who joined the school in the nursery class, if the school has such a class, and
 - (b) pupils who joined the school in the reception class in January.
- 8.** Where the total number of pupils at key stages 3 and 4 who joined the school in the last three academic years at any time other than August or September is more than 10% of the total number of pupils at key stages 3 and 4, a single per pupil amount for every pupil in excess of that 10%.
- 9.** A single per pupil amount, based on the number of pupils who were looked after children on 31st March 2014.
- 10.** Funding for schools with split sites, where the funding must be in accordance with criteria published by the authority.
- 11.** Non-domestic rates payable in respect of the premises of each school (including actual or estimated cost).
- 12.** Payments in relation to a private finance initiative (including actual or estimated cost).
- 13.** Differential salaries of teachers at schools in the county councils of Buckinghamshire, Essex, Hertfordshire, Kent or West Sussex due to the schools' being in different London salary weighting areas.
- 14.—**(1) In respect of all primary schools to which sub-paragraph (2) applies, other than those which are middle schools or all-through schools, an amount calculated in accordance with sub-paragraphs (3) and (4).
- (2) This sub-paragraph applies where—
- (a) in respect of those pupils for whom the school is their home school, the mean of the distances between each pupil's home and their second closest school is more than or equal to a distance determined by the local authority of at least two miles and the same distance must be applied to all such schools; and

- (b) the average size of a year group at the school (derived by dividing the number of pupils by the number of year groups) is less than a number determined by the local authority as applying to all such schools, which must be no more than 21.4.
- (3) Subject to sub-paragraph (4), the amount is either—
- (a) a single sum of up to £100,000, and each school must be allocated the same sum, or
- (b) a sum of the amount $A \times (1 - B / C)$ where—
- A* is a sum of up to £100,000, and the same sum must be used in the calculation for each school;
- B* is the number of pupils in the school; and
- C* is the number determined by the authority in sub-paragraph (2)(b).
- (4) The authority must use the same method of calculating the amount under sub-paragraph (3) in respect of all schools to which sub-paragraph (2) applies.
- 15.—**(1) Where sub-paragraph (2) applies in respect of secondary schools, primary schools which are middle schools and primary schools which are all-through schools, an amount calculated in accordance with sub-paragraphs (3) and (4).
- (2) This sub-paragraph applies where—
- (a) in respect of those pupils for which the school is their home school, the mean of the distances between each pupil's home and his or her second closest school is more than or equal to a distance determined by the local authority of at least—
- (i) two miles in respect of middle schools,
- (ii) two miles in respect of all-through schools, and
- (iii) three miles in respect of secondary schools other than middle schools or all-through schools; and
- (b) the average size of a year group at the school (derived by dividing the number of pupils by the number of year groups) is less than a number determined by the local authority, which must be no more than—
- (i) 69.2 in respect of middle schools,
- (ii) 62.5 in respect of all-through schools, and
- (iii) 120 in respect of secondary schools other than middle schools or all-through schools, and the same number must be applied to all the schools of each type listed in this sub-paragraph.
- (3) Subject to sub-paragraph (4) the amount is either—
- (a) a single sum of up to £100,000, and each school must be allocated the same sum, or
- (b) a sum of the amount $A \times (1 - B / C)$ where—
- A* is a sum of up to £100,000, and the same sum must be used in the calculation for each school;
- B* is the number of pupils in the school; and
- C* is the number determined by the authority in sub-paragraph (2)(b).
- (4) The authority must use the same method of calculating the amount under sub-paragraph (3) in respect of all schools to which sub-paragraph (2) applies.

PART 2

Applicable only to budget shares for, and amounts to be allocated to, providers of
prescribed early years provision

16. Incidence of looked after children.

17. Prior attainment of pupils entering a school or children entering a relevant early years provider, exempt early years provider or school where they will receive community early years provision.

18. Pupils and children whose first language is not English.

19. A single sum for each school, relevant early years provider, exempt early years provider and school providing community early years provision, which may vary according to the type of provider.

20. Funding for schools, relevant early years providers, exempt early years providers and schools providing community early years provision with split sites, where the funding must be in accordance with criteria published by the authority.

21. Non-domestic rates payable in respect of the premises of each school, relevant early years provider, exempt early years provider or school providing community early years provision (including actual or estimated cost).

22. Payments in relation to a private finance initiative (including actual or estimated cost).

23. Differential salaries of teachers at schools in the county councils of Buckinghamshire, Essex, Hertfordshire, Kent or West Sussex due to the schools' being in different London salary weighting areas.

24. The need to improve the quality of provision by particular providers or types of provider.

25. The degree of flexibility in the hours of attendance that a provider makes available.

26. The need to secure or sustain a sufficiency of prescribed early years provision within the authority's area or any sub-area within that area; and in this paragraph "sub-area" means—

- (a) an electoral division or ward of the authority; or
- (b) such other appropriate geographical division into which the authority has notionally divided its area.

SCHEDULE 4

Regulation 19

MINIMUM FUNDING GUARANTEE

1.—(1) In this Schedule—

- (a) references to the number of pupils exclude those funded by a sixth form grant and those in places which the local authority has reserved for children with special educational needs;
- (b) the "relevant number" of pupils for the previous funding period is the number of pupils at the school on 3rd October 2013;
- (c) the "relevant number" of pupils for the funding period is the number of pupils at the school on 2nd October 2014;
- (d) references to a redetermined adjusted budget share for the previous funding period exclude—
 - (i) any amount allocated under regulation 14(2) (places reserved for children with special educational needs) of the 2013 Regulations;
 - (ii) any amount included under regulation 20 (Sixth form funding) of the 2013 Regulations;
 - (iii) any amount included under regulation 24 (Correction of errors and changes in non-domestic rates) of the 2013 Regulations;
 - (iv) the difference between (a) any amount allocated to the school under regulation 21(3) of the 2013 Regulations, and (b) the single sum which the school would have

- received under paragraph 1 or 2 of Schedule 3 to the 2013 Regulations if regulation 21(3) of the 2013 Regulations had not applied;
- (v) any amount allocated to the school under Schedule 3 to the 2013 Regulations where such amount has been deducted from the schools budget under Part 4 (Children And Young People With High Needs) of Schedule 2;
 - (vi) any amount allocated to the school under regulation 10(3) (early years single funding formula) of the 2013 Regulations;
 - (vii) any amount included in respect of paragraph 11 (rates) of Schedule 3 to the 2013 Regulations;
 - (viii) any amount allocated to the school under paragraph 1 (primary single sum) of Schedule 3 (or, where regulation 21(4) applies, the amount allocated to the school under that regulation);
 - (ix) any amount allocated to the school under paragraph 2 (secondary single sum) of Schedule 3 (or, where regulation 21(4) applies, the amount allocated to the school under that regulation);
 - (x) any amount allocated to the school under paragraph 14 (primary sparsity) of Schedule 3; and
 - (xi) any amount allocated to the school under paragraph 15 (secondary sparsity) of Schedule 3;
- (e) references to a redetermined adjusted budget share for the funding period include the effect of any alternative arrangements approved by the Secretary of State under regulation 25, but exclude—
- (i) any amount allocated under regulation 14(2) (places reserved for children with special educational needs);
 - (ii) any amount included under regulation 20 (Sixth form funding);
 - (iii) any amount included under regulation 24 (Correction of errors and changes in non-domestic rates);
 - (iv) any amounts allocated under regulation 10(1) (formula for determining budget shares) which would have been within a class or description of the expenditure listed in Schedule 2 to the 2013 Regulations that the authority deducted in the previous funding period;
 - (v) any amount allocated to the school under regulation 10(3) (early years single funding formula);
 - (vi) any amount included in respect of paragraph 11 (rates) of Schedule 3;
 - (vii) any amount allocated to the school under paragraph 1 (primary single sum) of Schedule 3 (or, where regulation 21(4) applies, the amount allocated to the school under that regulation);
 - (viii) any amount allocated to the school under paragraph 2 (secondary single sum) of Schedule 3 (or, where regulation 21(4) applies, the amount allocated to the school under that regulation);
 - (ix) any amount allocated to the school under paragraph 14 (primary sparsity) of Schedule 3; and
 - (x) any amount allocated to the school under paragraph 15 (secondary sparsity) of Schedule 3.
- (2) For the purposes of this Schedule—
- (a) where a school opened during the previous funding period, its redetermined adjusted budget share for the previous funding period is the amount it would have been if the school had opened on 1st April 2014; and

- (b) where a school opens during the funding period, its redetermined adjusted budget share for the funding period is the amount it would have been if the school had opened on 1st April 2015,

in both cases adjusted in accordance with paragraph 1(d) or (e), whichever is applicable.

2. Where (A / B) is less than (C / D) then the guaranteed funding level is $(C / D) \times B$ where—

A is the redetermined adjusted budget share for the funding period;

B is the relevant number of pupils in the funding period;

C is the redetermined adjusted budget share for the previous funding period multiplied by 0.985; and

D is the number of relevant pupils in the previous funding period.

3. Where a new school opens during the funding period and is a replacement for two or more schools being discontinued during the funding period, its guaranteed funding level must be calculated in accordance with paragraph 2, subject to paragraph 4.

4. In calculating the guaranteed level of funding under paragraph 3 the relevant number of pupils in the previous funding period under paragraph 1(b) is the sum of the relevant number of pupils in the discontinued schools on 3rd October 2013.

SCHEDULE 5

Regulation 26

CONTENTS OF SCHEMES

1. The carrying forward from one funding period to another of surpluses and deficits arising in relation to schools' budget shares.

2. Amounts which may be charged against schools' budget shares.

3. Amounts received by schools which may be retained by their governing bodies and the purposes for which such amounts may be used.

4. The imposition, by or under the scheme, of conditions which schools must comply with in relation to the management of their delegated budgets, and of sums made available to governing bodies by the authority which do not form part of delegated budgets, including conditions prescribing financial controls and procedures.

5. Terms on which the authority provides services and facilities for schools maintained by it.

6. The payment of interest by or to the authority.

7. The times at which amounts equal in total to the school's budget share are to be made available to governing bodies and the proportion of the budget share to be made available at each such time.

8. The virement between budget heads within the delegated budget.

9. Circumstances in which a local authority may delegate to the governing body the power to spend any part of the authority's non-schools education budget or schools budget in addition to those in section 49(4)(a) to (c) of the 1998 Act(a).

10. The use of delegated budgets and of sums made available to a governing body by the local authority which do not form part of delegated budgets.

11. Borrowing by governing bodies.

(a) Section 49(4) was amended by section 215 of, and paragraph 100 of Schedule 21 to, the 2002 Act.

12. The banking arrangements that may be made by governing bodies.
13. A statement as to the personal liability of governors in respect of schools' budget shares having regard to section 50(7) of the 1998 Act.
14. A statement as to the allowances payable to governors of a school which does not have a delegated budget in accordance with the scheme made by the authority for the purposes of section 519 of the 1996 Act(a).
15. The keeping of a register of any business interests of the governors and the head teacher.
16. The provision of information by and to the governing body.
17. The maintenance of inventories of assets.
18. Plans of a governing body's expenditure.
19. A statement as to the taxation of sums paid or received by a governing body.
20. Insurance.
21. The use of delegated budgets by governing bodies to satisfy the authority's duties imposed by or under the Health and Safety at Work etc Act 1974.
22. The provision of legal advice to a governing body.
23. Funding for child protection issues.
24. How complaints by persons working at a school or by school governors about financial management or financial propriety at the school will be dealt with and to whom such complaints should be made.
25. Expenditure incurred by a governing body in the exercise of the power conferred by section 27 of the 2002 Act.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for local authorities' financial arrangements in relation to the funding of maintained schools and providers of prescribed early years provision in England, for the financial year 2015-2016.

The School and Early Years Finance (England) Regulations 2012 are revoked. The School and Early Years Finance (England) Regulations 2013 remain in force.

These Regulations define the non-schools education budget (regulation 4 and Schedule 1), the schools budget (regulation 6 and Schedule 2), central expenditure and the individual schools budget (regulation 8 and Schedule 2). They require local authorities to determine budget shares for schools maintained by them and amounts to be allocated in respect of early years provision in their areas, in accordance with the appropriate formulae (regulations 10 and 11). They impose a minimum funding guarantee (regulation 19 and Schedule 4) and requirements in relation to local authorities' schemes (regulation 26 and Schedule 5).

No impact assessment has been prepared for these Regulations as they have minimal impact on businesses, civil society organisations and the public sector.

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(a) Section 519 was amended by section 140 of, and paragraph 139 of Schedule 2 to, the 1998 Act.

WIRRAL SCHOOLS FORUM – 14th January 2014

WORK PLAN

Meeting Date	29 th April 2015	8 th July 2015	Autumn 2015	January 2016
			Elect chair & vice chair Membership	
Budget	Schools Budget update 2015-16 School Budget Monitoring 2014-15	Schools Budget Outturn School Balances and Reserves	Budget monitoring update Combined budgets Early Years	Schools Budget Budget monitoring update Pupil Premium De-delegation of budgets
Consultation		National Fair Funding Formula for schools National proposals for high needs and early years		
DfE Regs & guidelines		Scheme for Financing Schools		School Finance Regulations
Working Groups	School Formula High needs Early years	School Formula High needs Early years	School Formula High needs Early years	
Other	School Admissions High needs review Early years budget MEAS Update Traded services Primary place planning	De-delegated services <ul style="list-style-type: none"> Contingency Special Staff Costs Library Service (primary only) Insurance MEAS FSM eligibility Behaviour Support Traded services	Membership Combined budgets PPM and PFI budgets High needs places and alternative provision Traded services	Excess balances Forum representation update Primary Places

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