



Walsall Council

Walsall Children's Services

Report to: Schools Forum

Date: 14th October 2014

Subject: Maintained Schools De-Delegation 2015/16

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Purpose of the report: The decision on Maintained Schools De-Delegation is a Schools Forum decision. The contents of this report have been developed with headteachers

Recommendations: See final section of report

1. Introduction

- 1.1 As part of the funding changes introduced for the 2013/14 financial year, the Education Funding Agency (EFA) introduced the concept of de-delegation. The process of de-delegation only applies to maintained schools and not to academies. Within maintained schools it only applies to primary and secondary schools and not to special or nursery schools.
- 1.2 Walsall Council is required to provide the EFA with details of the schools funding formula it is planning to use for the 2015/16 financial year by 31 October 2014. To complete this exercise maintained schools need to have made a de-delegation decision in time for that date. Clearly while the decision to de-delegate can be discussed anywhere, the legally binding vote takes place within Schools Forum.
- 1.3 The EFA definition of de-delegation is reported in depth later in this report. In simple terms there are various services that prior to 1 April 2013 the local authority could hold money centrally for if it wished to deliver the service. Now the value of those funds is highlighted as a funding factor. These funds are passed to schools to commission their own services. However, if schools in a phase (e.g. primary) and the local authority both want the local authority to deliver that service then a decision can be made to pass those funds back (de-delegate) to the local authority.
- 1.4 This report is not designed to give lots of detail to make a decision. That information has already been passed to those making a decision. The purpose of this report is to ensure that Schools Forum has an appropriate formalised vote. An example of this is that Primary Forum was keen to discuss this on 2 October and received information in advance. After a brief discussion a vote was taken and primary representatives on Schools Forum can use that to inform their vote as they wish. It must be clear that it is only the Schools Forum vote that is binding.

2. Forum Members who are Eligible to Vote

- 2.1 Only the following members of Schools Forum are eligible to vote on this issue for secondary schools:

Mr Allman
Mr Hodgkinson

- 2.2 Only the following members of Schools Forum are eligible to vote on this issue for primary schools:

Mrs Draper
Mr Vlahakis

Mrs Sheehy
Ms Coles
Mr Davies
Mr Bonhomme
Ms Yates
Mrs Woodcock

2.3 Operational Guidance from DfE states:

48. Funding for de-delegated services must be allocated through the formula but can be de-delegated for maintained mainstream primary and secondary schools with Schools Forum approval. De-delegation is not an option for academies, special schools, nurseries or PRUs. Where de-delegation has been agreed for maintained primary and secondary schools, our presumption is that the local authority will offer the service on a buy-back basis to those schools and academies in their area which are not covered by the de-delegation. In the case of special schools and PRUs, the funding to buy such services will be included in any top-up payments.

49. Any decisions made to de-delegate in 2014-15 related to that year only, so new decisions will be required for any service to be de-delegated in 2015-16. Schools forum members for primary maintained schools and secondary maintained schools must decide separately for each phase whether the service should be provided centrally and the decision will apply to all maintained mainstream schools in that phase. Funding for these services will then be removed from the formula before school budgets are issued. There may be different decisions for each phase. The services which may be de-delegated are shown below:

Contingencies (including schools in financial difficulties and deficits of closing schools);

Behaviour support services;

Support to underperforming ethnic groups and bilingual learners;

Free school meals eligibility;

Insurance;

Museum and library services;

Licences/subscriptions;

Staff costs supply cover (e.g. long-term sickness, maternity, trade union and public duties).

50. For each service de-delegated, authorities will need to make a clear statement of how the funding is being taken out of the formula (for example – primary insurance £20 per pupil, secondary behaviour support services £30 per FSM pupil). There should be a clear statement of how contingencies and other resources will be allocated. Academies will continue to receive a share of funding for these services in their delegated budget.

51. Where de-delegation is agreed, middle schools will be treated according to their deemed phase and the unit value for de-delegation will follow that phase. If the primary sector agreed to de-delegate a service but the secondary sector did not, middle deemed primary schools in the authority would have their formula allocation reduced for all of their pupils at the agreed primary school rate. Middle deemed secondary schools would not be subject to de-delegation.

52. Where a school converts to academy status before or on 1 April 2015, no de-delegation can take place. Where a school converts on or after 2 April 2015, up to and including 1 September 2015, the authority can retain any de-delegated funding until 1 September 2015. Where a school converts to academy status on or after 2 September 2015, up to and including 31 March 2016, the authority can retain any de-delegated funding for the remainder of the 2015-16 financial year. This will help services to plan their future operations. After the dates specified, the academy will receive the full formula allocation and this will be recouped from the local authority.

53. Where there has been agreement that a school is entitled to receive an allocation from a de-delegated contingency fund, that agreement should be honoured if the school converts to an academy at any point in the year. Where a school converts to an academy in the period 2 April to 1 September 2015, authorities will have an opportunity to present an evidence based case to the EFA to request a recoupment adjustment for the period 2 September 2015 to 31 March 2016.

54. Any unspent de-delegated funding remaining at the year-end should be reported to Schools Forum. Funding may be carried forward to the following funding period as with any other centrally retained budget, and can be used specifically for de-delegated services if the authority wishes.

3. Recommendations

3.1 Maintained Secondary School members of Schools Forum **approve or do not approve** de-delegation of Free School Meal Eligibility Service. Estimated at £20.44 per **free school meal eligible pupil**.

3.2 Maintained Secondary School members of Schools Forum **approve or do not approve** de-delegation of Licenses/Subscriptions. (Estimated at £1 per pupil)

3.3 Maintained Secondary School members of Schools Forum **approve or do not approve** de-delegation of Staff Costs – Union and Public Duties. (£5.80 per pupil)

3.4 Maintained Secondary School members of Schools Forum **approve or do not approve** de-delegation of Insurance Services. (Estimated at £18.10 per pupil)

3.5 Maintained Secondary school members of Schools Forum **approve or do not approve** de-delegation of a contingency. (£2.67 per pupil)

- 3.6 Maintained Secondary school members recognise that library services, maternity support and behaviour support are not de-delegated and they will have to purchase individually any service they require.
- 3.7 Maintained primary schools members approve de-delegation of Free School Meal Eligibility Service estimated at £16.99 per **free school meal eligible pupil**
- 3.8 Maintained primary schools members approve de-delegation of Insurance services estimated at £18.10 per pupil
- 3.9 Maintained primary schools members approve de-delegation of Licenses/Subscriptions (Estimated at £1 per pupil)
- 3.10 Maintained primary schools members approve de-delegation of Maternity Supply cover estimated at £6.61 per pupil
- 3.11 Maintained primary schools members approve de-delegation of Staff Costs – Union and Public Duties at £5.80 per pupil
- 3.12 Maintained primary schools members approve de-delegation of Behaviour Support Services estimated at £12.73 per pupil
- 3.13 Maintained primary schools members approve de-delegation of Library Services estimated at £14.63 per pupil
- 3.14 Maintained primary schools members approve de-delegation of contingency at a value of £2.67 per pupil.
- 3.15 All maintained school members approve the rolling forward of any contingency underspend from 2014/15 to 2015/16.