

Central Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



**please ask for** Martha Clampitt  
**direct line** 0300 300 4032  
**date** 20 February 2013

## NOTICE OF MEETING

### CENTRAL BEDFORDSHIRE SCHOOLS FORUM

Date & Time

**Monday, 4 March 2013 at 6.00 p.m.**

Venue at

**Council Chamber, Priory House, Monks Walk, Shefford**

Richard Carr  
**Chief Executive**

To: The Chairman and Members of the CENTRAL BEDFORDSHIRE SCHOOLS FORUM:

School Members:	Anne Bell, Headteacher, Willow Nursery School David Brandon-Bravo, Headteacher, Parkfields Middle School Paul Burrett, Headteacher, Studham CofE Lower School and Pre-School Shirley-Anne Crosbie, Headteacher, Glenwood Special School James Davis, Governor, Leighton Middle School Angie Hardy, Headteacher, Clipstone Brook Lower School Richard Holland, Governor, Harlington Upper School Sue Howley MBE, Governor, Greenleas Lower School Sharon Ingham, Headteacher, Hadrian Lower School Jim Parker, Headteacher, Manshead Upper School John Street, Academy Middle School Representative Stephen Tiktin, Governor, Linslade Lower School Rob Watson, Headteacher Stratton Upper School
Non School Members	Mr M Foster, Trade Union representative Caroll Leggatt, PVI Early Years Providers Representative J Reynolds, Church of England Diocesan Representative Robert Shore, Local Authority 14-19 partnership representative - UTC
Observer:	Cllr M Versallion, Executive Member for Children's Services

Please note that there will be a pre-meeting starting **half an hour before** the Forum meeting to enable technical aspects of the reports to be discussed with officers before the Forum meeting begins.

# AGENDA

1. **Apologies for absence**

To receive apologies for absence and notification of substitute members.

2. **Chairman's Announcements and Communications**

To receive any announcements from the Chairman and any matters of communication.

3. **Minutes**

To approve as a correct record the Minutes of the meeting of the Central Bedfordshire Schools Forum held on 24 January 2013 and note actions taken since that meeting.

## Proposals

<b>Item</b>	<b>Subject</b>	<b>Page Nos.</b>
4	<b>PRU - Transfer of Revenue DSG to Capital</b>	To follow

## Updates and Feedback

<b>Item</b>	<b>Subject</b>	<b>Page Nos.</b>
5	<b>Dedicated Schools Grant (DSG)</b>  To note the update.	* 21 - 30
6	<b>School Specific Contingency Budget</b>  To note an update on the use of the School Contingency Budget for 2012/13.	* 31 - 34
7	<b>Schools Forum Budget</b>  To note an update on the use of the School Forum Budget for 12/13.	* 35 - 36
8	<b>Review of the Forum's Constitution and Terms of Reference</b>  This report enables the first stage of a review of the Constitution and Terms of Reference as previously requested by the Central Bedfordshire Schools Forum.	* 37 - 46

<b>Information</b>
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<b>Item</b>	<b>Subject</b>	<b>Page Nos.</b>
9	<b>Briefing Note from Schools Asset Management Planning sub group</b>	* 47 - 50

To receive an update, from the School Asset Management Planning sub group, regarding Schools Capital, School Premises Regulations and Carbon Reduction Commitment Energy Efficiency Scheme.

<b>Correspondence</b>
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<b>Item</b>	<b>Subject</b>	<b>Page Nos.</b>
10	<b>Watling Lower School Licensed Deficit</b>	To follow

To receive correspondence requesting the writing off of Watling Lower School's deficit.

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**CENTRAL BEDFORDSHIRE COUNCIL**

At a meeting of the **CENTRAL BEDFORDSHIRE SCHOOLS FORUM** held at Council Chamber, Watling House, High Street North, Dunstable on Thursday, 24 January 2013

**PRESENT**

Richard Holland (Chairman)

School Members:	David Brandon-Bravo	Headteacher, Parkfields Middle School
	Paul Burrett	Headteacher, Studham CofE Lower School and Pre-School
	Shirley-Anne Crosbie	Headteacher, Glenwood Special School
	James Davis	Governor, Leighton Middle School
	Angie Hardy	Headteacher, Clipstone Brook Lower School
	Sue Howley MBE	Governor, Greenleas Lower School
	Sharon Ingham	Headteacher, Hadrian Lower School
	John Street	Academy Middle School Representative
	Stephen Tiktin	Governor, Linslade Lower School

Apologies for Absence: Anne Bell  
Mr M Foster  
Mrs E Grant  
Caroll Leggatt  
Jim Parker  
J Reynolds  
Robert Shore  
Rob Watson

Substitutes: Mr T Ramsden for Mr M Foster – Trade Union Representative

Officers in Attendance:	Mrs M Clampitt	Committee Services Officer
	Mr P Dudley	Assistant Director Children's Services (Learning & Strategic Commissioning)
	Ms D Hill	Senior Finance Manager - Children's Services
	Mrs C Jones	Head of HR Strategy
	Miss H Redding	Head of Learning and School Support

**CBSF/12/73 Chairman's Announcements and Communications**

1. The Chairman welcomed Mr Timothy Ramsden from the National Association of Schoolmasters Union of Women Teachers as substitute for Martin Foster, Trade Union Representative.
2. The Chairman advised the Forum that items 13 and 14 would be considered after Item 3 – Minutes of the previous meeting.

3. Item 8 – Use of centrally retained Dedicated Schools Grant (DSG) in 2012/13 before item 5 – School Funding Reform: Update on arrangements for 2013/14 High Needs Block (including Alternative Provision). The remainder of the agenda would be considered in order.

**CBSF/12/74 Minutes of the previous meeting and matters arising**

**RESOLVED**

**That the minutes of the meeting of the Central Bedfordshire Schools Forum held on 26 November 2012 be confirmed and signed by the Chairman as a correct record.**

Matters arising:-

1. It was noted that no nominations had been received for the two vacancies on the Forum. It has been requested that specific phase of school be contacted for nominations.
2. CBSF/12/70 – the reference to the lower school monies had referred to the previous year's budget.
3. CBSF/12/67 – a letter explaining the process and what can be applied for will be issued with the budget pack.
4. The SEN contingency budget would be fully spent but the General contingency would not.

**CBSF/12/75 Enabling Schools to bring individual papers / proposals to School Forum**

The Assistant Director for Learning, Commissioning and Partnerships Children's Services informed the Forum that recent changes welcome the opportunity for Schools to bring items for discussion to the Schools Forums.

It was explained that a process would be put in place which would include a timetable for reports to be filed, guidance to ensure that the reports comply with the Schools Forum Constitution and consistency in the documentation received.

The Forum welcomed the opportunity to bring papers to the Forum for consideration but concerns were expressed at the time lag between meetings.

**CBSF/12/76 Report Format and Publication Requirements**

The Forum considered a report which set out guidance for drafting reports for "public" meetings and publication requirements.

The Forum felt that the template was complex for the type of issues which would be submitted by schools. It was requested that a simplified template be made available for the Schools to complete.

Officers agreed that Central Essentials would be used as a vessel for sharing the simplified template, simple guidance and meeting timeframe.

### **RESOLVED**

- 1. that the corporate template and guidance for drafting reports in use by officers of Central Bedfordshire Council, be noted;**
- 2. that a simplified report template be provided for Schools to use for submission of items for consideration, be agreed.**
- 3. that any reports provided by Academies would be required to meet the legislative publication requirements, be noted.**

### **CBSF/12/77 Trade Union and Professional Associations**

The Forum considered a report which sought approval for the de-delegation (where appropriate) for Primary and Secondary Schools and the retention of funding from the Early Years and High Needs Block funding for facilities release time for Trade Unions and Professional Associations.

The Head of Human Resources Policy and Development provided an overview of the legal requirement for trade union representation in schools and the significant contribution made by them. The funding system for schools should account for this work.

The Forum expressed concerns that they had been asked to vote on this information previously without all of the detailed analysis being available. The Assistant Director for Learning, Commissioning and Partnerships Children's Services explained that the deadlines from the DfE had been very tight and that the Forum had been asked to make a decision based on the information available at the time. Subsequent to the submission of the decision to the DfE, Officers received clarification that middle and upper schools were to be considered one phase and not two. In addition, the final pricing elements from all of the Trade Union and Professional Associations had been received and the amounts to be charged had increased, since the original vote had been taken from £2.77 to £3.56.

The Lower School Phase confirmed that their vote would not change and that de-delegation was their preferred option.

A Forum representative had confirmed that based on the report and the revised figures, he would change one of the middle school votes and considered de-delegation the correct option. There was no Upper School representative at the meeting and due to DfE requirement that the Middle and Upper School votes

be combined, the Upper Schools vote would be annulled.

Another Forum representative:

- Commented upon, and expressed concerns about, the Report and associated appendices for this agenda item which did not explain why Schools Forum were being asked to revote.
- Questioned why, and upon what competence, a revote was required
- Queried why the previous consultation and vote should not stand.

It was noted by the Forum that the vote would only affect schools for one year. The forum also considered that the recommendations should have identified the preferred option from the two presented. The Forum agreed that a request for a specific option should have been made and recommended that this be done.

## **RESOLVED**

- 1. that the vote to de-delegate funding from the Lower School Phase be confirmed;**
- 2. that the de-delegation of funding from the Secondary School Phase (Middle & Upper) be agreed;**

**The vote was unanimous - 2 votes for**

- 3. that the Early Years and High Needs Blocks are not required to vote for de-delegation of the monies allocated for facilities time however it is recommended that the allocation of funding for facilities time be noted.**
- 4. that all de-delegated funding and funding from the Early Years and High Needs Blocks to be used to facilitate release time for Trade Unions and Professional Associations in accordance with the costs allocated in Appendix A, Option B.**

**The Forum voted 5 for and 0 against 1 abstention**

### **CBSF/12/78 Use of centrally retained Dedicated Schools Grant (DSG) in 2012/2013**

The Forum considered a report which outlined how the centrally retained Dedicated Schools Grant (DSG) has been used in 2012/13.

The Head of Learning and School Support provided the Forum with a breakdown of where the funds were spent for the provision of SEN support. The areas were the following:-

- Early Years Children with Disabilities Team
- Advisory Support Teachers retained within the Psychology and Advisory Support Team



- Visual Impairment Team
- Therapies
- Statements
- High Cost Pupils
- Recoupment
- Hospital Recoupment
- Out of County Placements
- Additional Pupil Support
- Access and Inclusion
- Virtual School management and delivery
- PRU
- Commissioning
- Raising Attainment at KS2
- School Admission

The Forum noted that improvements had been made and the provisions were far tighter than previously and budgets had been reduced. It was requested that future reports shows comparison to previous year.

The Chairman of the Schools Forum will write to the DfE and the EFA to challenge the hospital recoupment charging and asking for a rebate. It was noted that the monies from 2013/14 would be withdrawn differently at an increase of 3 times the previous amount paid. The DfE and the EFA have confirmed that the amounts submitted by the Hospitals have not been challenged. The F40 group will be provided with a copy of the letter.

The Forum noted that there were 180 looked after children in the area, with the majority in pre-school.

The Head of Learning and School Support confirmed that the SEN Contingency budget was to be used for the Outreach services. This had been agreed by the Schools Forum when Bedfordshire County Council had been the Local Authority.

## **RESOLVED**

- 1. that how the centrally retained Dedicated Schools Grant (DSG) be used to support provision for vulnerable pupils and raising attainment, be noted.**
- 2. that the decision made in the November Schools Forum meeting for the distribution of unspent DSG, be noted.**

CBSF/12/79 **School Funding Reform: Update on arrangements for 2013/14 High Needs Block (including Alternative Provision)**

The Forum considered a report which made recommendations regarding the allocation of the High Needs Block (HNB) in 2013/14 in line with the changes in the Funding Regulations and their impact on schools budgets, and centrally retained Dedicated Schools Grant (DSG). HNB activity will be funded from HNB budget allocation in line with funding regulations. No transfers will be made into the HNB from the Schools Block or the Early Years Block. Any overspend will need to be agreed by the Schools Forum, and this will then have first call on 2014/15 DSG. Any underspend will be distributed to schools in April 2014.

The Head of Learning and School Support provided with Forum with information to allow them to comment on the following proposals:-

1. Mainstreamed schools will fund the first £6k towards SEN provision, which is comparable to the funding of the first 12 hours of support. The request had come from the DfE.

**NOTED**

**That mainstream schools fund the first £6k for pupils with Statements of SEN through their delegated budgets, and be paid top-up funding monthly for each pupil against their identified needs as specified in the statement (as they do now).**

2. Schools with Specialist Provisions for Autism (ASD) and Behaviour, Emotional and Social Disabilities (BESD) to receive £10k base funding and top-up funding paid monthly.

**NOTED**

**That Schools with Specialist Provisions for Autism (ASD) and Behaviour , Emotional and Social Disabilities (BESD) receive £10k base funding for each place, and be paid top-up funding by the commissioning Authority for each pupil to the equivalent of a Band A statement.**

3. Schools with Specialist Provisions for Hearing Impairment (HI) receive £10k base funding for each place (20 places across 3 schools) and top-up funding. The funding will be transferred to the Harlington Area Schools Trust (HAST) who have been commissioned to deliver the service.

**NOTED**

**That the Schools with Specialist Provisions for Hearing Impairment (HI) receive £10k base funding for each place (20 places across 3 schools), and be paid top-up funding by the commissioning Authority for each pupil to the current equivalent. These schools will transfer this funding to the Harlington Area Schools Trust (HAST) who are commissioned to manage and deliver this service.**

4. Should there be any unallocated places the top-up costs would be paid by Central Bedfordshire Council until the places would be filled. This would allow stability to the budget to allow appropriate staffing levels to be maintained.

**NOTED**

**That unallocated places for specialist provisions would be funded through top-up at the same level by Central Bedfordshire Council.**

5. The pupils who have statements for SEN and attend either of the two lower schools which have resourced Language Provision (St Andrews in Biggleswade and Heathwood in Leighton Buzzard) will receive top-up funding to the current Band D level of £8,280 linked to their statement of SEN. The minimum number of 8 places / pupils be funded to allow stability in the staffing levels.

**NOTED**

**That schools with resourced provision for Speech, Language and Communication Needs be paid top-up funding for each pupil against their identified needs at Band D as specified in their statement of SEN. It is recommended that at Heathwood Lower School a minimum of 8 places / pupils be funded in this way in order to retain the appropriate levels of staffing.**

6. The administrative charge of 5% should be added to the charges by mainstream schools to other local authorities to cover the monthly processing, which matches the current level charged via inter-authority recoupment.

**NOTED**

**That Mainstream Schools are advised to add a 5% administration charge to other Local Authorities when claiming the top-up element of funding of statements and specialist provisions.**

7. Special Schools from 2013/14 would not be entitled to the same factors as mainstream schools within the new funding arrangements. Funding for special schools must be based on £10k per number of places / pupils based on numbers reported in 2012/13, plus a top-up paid monthly by the commissioning Authority. It is recommended that an administrative charge of 10% should be applied to the charges by special schools to other local authorities to cover the monthly processing, which matches the current level charged through recoupment.

**NOTED**

**That Special Schools are advised to add a 10% administration charge to other Local Authorities when claiming the top-up element of funding for statements and specialist provisions.**

8. The number of potential requests for special school places had been estimated on historical data across an academic year for each school. It was noted to keep stability in the budget, indicative banding had been identified for top-up across the places based on the profile of need at the school. The banding is then allocated against one of the unallocated places.

**NOTED**

**That the indicative banding levels are given to empty places in special schools until the places are filled.**

9. The Special School Leaders Group revised the banding levels for the schools to take account of the different factors applicable i.e. split site schools and floor area. The simplified process was replaced with a more accurate complicated process which the schools were pleased with.

**NOTED**

**That Special School budgets have been revised to take account of the different factors previously applied to each school, which has set a different banding value for each school.**

10. The Special School Leaders Group agreed that the following three factors should be included in the Oak Bank School budget to maintain school places for the students who would otherwise be placed out of the Authority:
  - (a) £30k that funds support for the additional curriculum requirements of the very small number of girls on roll at the school (currently 6);
  - (b) £100k that currently funds the Therapeutic Project and has had a significant impact on outcomes for pupils at the school over the last 4 years;
  - (c) £15k additional top-up for exceptional needs beyond band 4 (Band 4+) against 8 of the band 4 places. This is the average number of pupils funded at this level in previous years.

**NOTED**

**That funding currently centrally retained for Oak Bank Therapeutic Project, their curriculum for small number of girls, and 8 exceptional needs places / pupils are allocated as part of Oak Bank's Individual Budget Share (ISB) through the top-up funding.**

11. In 2013/14 the Pupil Premium remains a separate grant to the High Needs Block. The Forum agreed at its meeting in November (minute no. CBSF/12/71 refers) agreed the grant be given to schools rather than be held centrally.

**NOTED**

**That Pupil Premium ceases to be held centrally to fund additional needs of pupils, and be allocated to special schools.**

12. The PRU will be funded the same as a Special School but with a base funding unit of £8k. A top-up will be available until 31 August 2013 and based on 5/12ths of the PRU budget.

From 1 September 2013 the AP Free School will be open and Alternative Provision for each of the 70 pupils is £8k, funded directly by the EFA. The school will be funded as an Academy Free School. The EFA will top-slice £326,667 upon confirmation of the start date.

Central Bedfordshire Council (CBC) will have a contract with the Academy of Central Bedfordshire, which will have CBC provide top-up funding as required to provide an alternative to permanent exclusion.

2 places per school will be commissioned by the Upper Schools in addition to the CBC provision. The EFA will be contacted to help arrange the best payment process. A joint commissioning arrangement will need to be agreed between the schools, CBC and the Academy of Central Bedfordshire.

**NOTED**

**That the current PRU budget spend be split into five twelfths and seven twelfths of the year to take account of the closure of the PRU and the opening of The Academy of Central Bedfordshire (AP Free School).**

13. The Forum noted that the Outreach work was carried out currently by three approved schools.
  - The Chiltern and Ivel Valley Area Special Schools will deliver the Early Years Children with Disability Service from 2013;
  - The Peripatetic aspect of the Hearing Impaired Provision, and the Medical Needs Service will be commissioned in the same way through HAST. The contracts values are £145,632 and £444,539 respectively;

- The alternative provision for primary age children at risk of exclusion will be commissioned through the Hawthron Park Lower School at a value of £414,645.
- The alternative provision for secondary aged pupils at risk of exclusion for two terms will be at a value of £230,094. The EFA will paid the additional £326,667.

**NOTED**

**That the Outreach and commissioned services continue to be commissioned as they are currently.**

14. From April 2013 recoupment for out of county placements will not be allowed to be paid retrospectively. Schools will be required to charge monthly for the top-up element to the commissioning Council for pupils with statements in their schools. Maintained Schools after £6k and Special Schools after £10k. Central Bedfordshire Council (CBC) will provide support initially.

Due to possible pupil removal a notice period will be considered to allow the pupil to remain supported and to cover the notice period for the member of staff.

As the number of SEN pupils is not known for 2013/14, it was agreed that an additional 10% of DSG be retained to enable payment of admin charges for the unknown sum.

**NOTED**

**That sufficient DSG is retained centrally once known to fund top-up payments to schools in other Council areas, plus a 10% cushion for any increase in numbers / charges.**

15. The Forum noted that the High Needs in Post 16 combined three previous budgets: SEN Block Grant, Specialist placements funding and the cost of high needs student in FE. The EFA has not finalised the impact of the charges fully and Officers request that the DSG continue to be paid until the details are finalised.

Between April and July, the High Needs Post 16 will continue to be paid by the 3 elements. Between August and March elements 1 and 2 will be funded by the EFA and element 3 by the Post 16 High Needs Block.

Paragraph 50 of the report detailed the historical shortfall of Post 16 income.

**NOTED**

**That the way in which High Needs Block in Post 16 is allocated is changing significantly in 2013/14.**

16. The Forum noted the information contained within paragraph 46 which detailed the retained DSG and the proposed future DSG for centrally retained services to be funded.

**RESOLVED**

**That the continuation of centrally retained funding to support the services identified in Paragraph 46 of the report be agreed.**

**The Forum voted unanimously to support.**

17. The Forum noted the contents of table 47 which set out the centrally retained DSG to be paid to schools for commissioned services through a contract (new and continuing commissions). Previously the elements had been funded from different areas of budgets.

**NOTED**

**That the Dedicated Schools Grant (DSG) allocated to commission services from schools that were previously retained with the Council.**

**CBSF/12/80 Revision to the Scheme for Financing Schools**

The Forum considered a report which provided an update and made recommendations following the recent consultation on a proposed revision to Section 4.10 of the Scheme for Financing Schools – Asset Loan Scheme.

The Forum at the 26 November 2012 meeting agreed to the consultation for the proposed changes to Section 4.10 of the Scheme for Financing Schools – Asset Loan Scheme (Minute CBSF/12/68 refers).

There were no objections to the proposed changes and the only queries were in relation to how to apply for the Asset Loan Scheme.

**RESOLVED**

**That the proposed change to the Scheme for Financing Schools be approved.**

**CBSF/12/81 Schools Specific Contingency Budget**

The Forum considered a report which provided an update on the use of the School Contingency Budget for 2012/13 and the proposed distribution of unspent Dedicated Schools Grant (DSG).

At the Schools Forum meeting held on 5 March 2012, the following budgets were agreed:-

- £500,000 General Contingency
- £275,670 SEN Contingency

The total budget agreed for 2012/13 was £775,670. There was also a carry forward from 2011/12 of £898,917 which was split £818,999 (General) and £79,918 (SEN). The balances were £1,318,999 (General) and £355,588 (SEN).

It was noted that due to unspent centrally retained DSG and the reduction in forecasted expenditure that a one off payment of a minimum £50 per statutory pupil registered in the January 2012 census be transferred to Central Bedfordshire Maintained Schools.

The Forum asked for a breakdown of the unspent DSG, which was as follows:-

£130,000	Virtual School
£350,000	School Support Commissioning
£ 21,561	Education Psychology
£110, 020	Post 16 Special Recoupment
£316,890	Special Recoupment

The SEN Contingency budget allowing for known commitments would be fully spent by the end of the financial year. The commitments for the SEN Contingency budget were determined by the Schools Forum whilst it was run by Bedfordshire County Council.

## **RESOLVED**

- 1. that the School Contingency spend as at 31 December 2012, be noted.**
- 2. that the proposed additional £50 per statutory pupil registered on the January 2012 census be transferred to schools be agreed.**

### **CBSF/12/82 Dedicated Schools Grant (DSG)**

The Forum received a report which provided an update on the DSG, DSG Settlement 2013/14 and the new Education Services Grant (ESG).

### **Dedicated Schools Grant (DSG)**

The DSG for 2012/13 is £173.915m. This is based on 37,336 (fte number of pupils at January 2012) multiplied by £4,658 (Guaranteed Unit of Funding (GUF)). The figure was based on 37 schools converting to Academy status as at December 2012 and £524k LACSEG transfer.

### **DSG Settlement 2013/14**



The Department for Education (DfE) advised that the Pupil Premium for 2013/14 would be £900 and the Service Premium £300 per pupil. The final allocations will be confirmed in the summer 2013.

The DfE announced the new grant, Education Services Grant (ESG), which will replace the Local Authority (LA) Block element of the LACSEG for Academies and the LA revenue funding from 2013/14.

The Forum noted that the DSG would continue to be based on 'spend plus' methodology for 2013/14 but split into the three blocks (Early Years, Schools and High Needs). The underlying school budget will remain at flat cash per pupil for 2013/14 (before the addition of Pupil Premium).

The Minimum Funding Guarantee remains at minus 1.5% for 2013/14 and 2014/15.

The 2013/14 funding for early education places for 2 year olds from lower income households has been merged into the DSG. The funding of £1,288k for statutory places and £505k for 'trajectory building' places, based on the eligible 2 year olds using Free School Meals data for 4 to 6 year olds as a proxy.

The DfE has agreed with the Copyright Licensing Agency (CLA) and the Music Publishers Association (MPA) to manage a single national license for all state managed schools in England. The cost to Central Bedfordshire Council will be £83,772 on total pupil numbers.

### **Education Services Grant (ESG)**

The ESG funding comes from a local government transfer of £1.04 billion in 2013/4, £180m less than the July 2012 proposal. It takes into account the total net planned expenditure as reported in the 2012/13 S251 budget statement submitted by Las, deflated in line with reductions in local government revenue funding but taking into account council tax revenue.

The DfE has established a process to protect Academies from significant year on year funding reductions, the higher of two protections will apply:-

- (a) a minus 10% per pupil protection applied to the 2012/13 LA Block LACSEG rates for the LA (Primary and Secondary £174.01 and Special schools £739.54), or
- (b) a minus 20% per pupil protection on the Academy's individual 2012/13 LA Block LACSEG allocation.

### **RESOLVED**

**That the update on the Dedicated Schools Grant (DSG) be noted.**

The Forum considered a report which provide an update on the Licence Deficit Schools and the Schools Finance Risk Register.

Central Bedfordshire had 100 maintained schools and 37 Academies as at 31 December 2013.

There were 2 schools with an agreed license deficit with a total value of £287k.

It was categorisation of schools in the risk register was carried out in October 2012 and determined the following:-

No Rating – 52 schools

Green – 39 schools

Amber – 7 schools

Red – 2 schools

The Forum noted that red and amber schools will receive a visit from the School Finance Adviser during the Autumn Term. All schools will be sent a letter advising of their RAG category and the use of criteria following the School Forum update.

#### **RESOLVED**

- 1. that the update on the License Deficit Schools be noted.**
- 2. that the update on the Schools Finance Risk Register be noted.**

#### **CBSF/12/84 School Forum Budget**

The Forum received and considered a report which provided an update on the Schools Forum Budget for 2012/13.

The Senior Finance Officer confirmed that at the date of the meeting the remaining balance for the year was £1,141. It was expected that the budget would be fully spent by the end of the financial year.

It was noted that travel claims had been received for the 2012/13 year. Members of the Forum were reminded that they could submit claims for mileage travelled to attend the meetings.

#### **RESOLVED**

**that the Schools Forum Budget position statement as at 31 December 2012 be noted.**

#### **CBSF/12/85 Review of the Forum's Constitution and Terms of Reference**

The Forum considered a report which enabled the first stage of a review of the Constitution and Terms of Reference as previously requested by the Central Bedfordshire Schools Forum.

It was agreed that the Forum members would forward any proposed changes and they would be incorporated into a track changed version of the Constitution and Terms of Reference for consideration at the 4 March meeting.

**RESOLVED**

**That comments on the Central Bedfordshire Schools Forum Constitution and Terms of Reference be forwarded to the Committee Services Officer to enable a revised draft, compliant with the Regulations issued in 2012, to be brought to the next meeting for further consideration, be agreed.**

(Note: The meeting commenced at 4.30 p.m. and concluded at 7.50 p.m.)

Chairman .....

Dated ..... ..

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**Meeting:** Schools Forum  
**Date:** 4 March 2013  
**Subject:** Dedicated Schools Grant (DSG)  
**Report of:** Deputy Chief Executive and Director of Children's Services  
**Summary:** To note the update on the DSG

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Contact Officer: Dawn Hill, Technology House

Public/Exempt: Public

Wards Affected: All

Function of: Council

Reason for urgency  
(if appropriate)

**RECOMMENDATIONS:**

**1. To note the update**

**Background**

1. Since the beginning of the financial year 2006/07 local authorities (LA) have received allocations of DSG to finance the Schools Budget in each authority. The full DSG received must be applied to the Schools Budget in each authority; although authorities may provide additional resources in support of the Schools Budget should they decide to do so.
2. The Schools Budgets, as set out in the Statutory Section 251 budget, comprises the following:
  - a) Individual Schools Budgets (ISB), delegated to individual schools, by phase (also known as School Budget Shares). These allocations are delegated via the local Fair Funding Formula, which the Local Authority (LA) sets, in conjunction with its Schools' Forum.
  - b) Central Expenditure. This is the amount held back centrally for expenditure on pupils and includes:
    - Expenditure to fund Nursery Education in non-maintained settings (Private, Voluntary and Independent Sector)
    - School Specific Contingency
    - Special Education Needs - provision for statemented pupils, pupil referral units, behaviour support units
    - Termination of Employment costs

3. Central expenditure must not increase as a proportion of the overall Schools Budget. This mechanism is known as the Central Expenditure Limit (CEL) and can only be breached in exceptional circumstances and with the specific approval of the Schools' Forum. In the case of Schools' Forum refusal the LA can ask the Secretary for State to approve the breach. The final Schools' Budget depends on the January PLASC count and is determined by the units of funding (no of pupils - FTE) multiplied by the Guaranteed Unit of Funding (GUF).
4. After taking advice from the Director of Children's Services, the Chief Finance Officer (CFO), must sign two statements annually: the Actual deployment (out-turn) and Budgeted Allocation of the DSG, confirming that it has been fully deployed in support of the School's Budget in accordance with the condition of the grant and the School Finance Regulations.
5. The DfE will continue with the current funding system for schools for 2012/13. For DSG, this means a continuation of the "spend plus" methodology and is subject to the School Funding review. For 2013/14, the Government has introduced a simpler and more transparent funding system.

### Deployment of DSG 2012/13

6. The budget allocation of DSG for 2012/13 has been confirmed and is the full time equivalent (FTE) number of pupils as at Jan 12 of 37,336 multiplied by the GUF £4,658 to give £173.915M. .
7. The School Forum agreed that unspent DSG reserves from 2011/12 to be distributed to schools as follows; a one-off payment based on degree of incidence of low level needs (£309k), an additional amount per statutory pupil (£442k) and termly headcount of Early Years (£169k). The sum of £920k has been added to the 2012/13 DSG allocation. The table below represents the distribution of the 2012/13 DSG based on the current number of academies

DSG	Academies		Revised DSG	ISB	Central Spend
	ISB	LACSEG			
£'000	£'000		£'000	£'000	£'000
174,835	68,019	262	106,554	95,191	11,363

8. Academies receive a Local Authority Central Spend Equivalent Grant (LACSEG) deducted from the DSG for those services that are the responsibility of the Academy but are retained centrally e.g. behaviour support, practical learning etc. It was agreed at the School Forum meeting on the 5<sup>th</sup> March 2012 that the cost of LACSEG would be partly funded up to £550k from DSG, any amount exceeding this must be brought back to the Forum. The DSG contribution to LACSEG is £262k, therefore the balance of £288k has been returned to the School Contingency budget for re-distribution to schools.
9. The total LACSEG deduction attributable to 37 converted schools as at January 2013 is £524K.

10. The Schools Finance Regulation 2012 governs the operation of the Central Expenditure Limit (CEL) and ensures central spend does not increase as a proportion of the overall Schools Budget. The CEL can only be breached in exceptional circumstances and with the specific approval of the Schools Forum. The proposed allocation of DSG for Central services has reduced from 2011/12 reflecting services increasingly being commissioned to be run through schools. The CEL has not been breached.

### Update School Funding Reforms and School Budgets 2013/14

11. The new funding reforms require local authorities to submit a pro forma detailing the new simplified formula and detailed tables to the Education Funding Agency (EFA) no later than the 22<sup>nd</sup> January 2013. Central Bedfordshire met the deadline set and has received confirmation from the EFA of the authority's adherence to the finance regulations and pro forma meeting the required criteria.
12. School Budgets were despatched to schools by 1<sup>st</sup> class post on Tuesday 12<sup>th</sup> February 2013, ahead of the deadline of the 15<sup>th</sup> March as prescribed in The School and Early Years Finance Regulations.
13. The basic entitlement (Age Weighted Pupil Unit) for Schools for 2013/14 is as follows:

	2013/14 Allocations
Primary	£2,908
Key Stage 3	£4,170
Key Stage 4	£4,879

14. All other factors have remained as per the consultation process as follows :

Lump Sum	£120,000
Split Site	£120,000
Rates	Estimated
IDACI Banding	
0.25-0.40	£554
0.40-0.50	£1,108
0.50-0.60	£1,662
0.60-1.00	£2,216

15. Central Bedfordshire has an increase in pupil numbers of 337 comparing January 2012 census to October 2012. Primary School numbers have risen 582 whilst Secondary pupils have fallen by 245.
16. As permitted by the School Finance Regulations and in agreement with the School Forum, a centrally retained 'Growth Fund' is available for applications by schools. This is to provide schools with revenue support where there is significant growth due to capacity and to assist lower schools in meeting the infant class size regulations.

17. The School Forum are asked to nominate two representatives, one from the Maintained sector and the other from an Academy to assist Officers in reviewing applications for 'Growth Funding'. It is expected that a meeting will be required early April to review business cases for funding for capacity, followed by a meeting in early May for Infant Class size funding applications.

### **High Needs Block**

18. The funding reforms announced changes to high needs funding in 2013/14. One element of the changes to high needs funding is the ending of recoupment arrangements between authorities in England for education provided on or after 1<sup>st</sup> April 2013. These recoupment arrangements are currently governed by the Education (Inter-authority Recoupment) Regulations 1994.
19. The Department for Education announced on the 4<sup>th</sup> February 2013 a Consultation on Replacement of the Education (Inter-authority Recoupment) Regulations. As the change to inter-authority recoupment is part of decisions already announced the Department are not consulting on the principle. This is a technical consultation on the detail of changes to the regulations. As the regulations need to be in force by 1<sup>st</sup> April 2013 the consultation will run for only three weeks and end on the 25<sup>th</sup> February 2013.
20. The intention is to lay these Regulations before Parliament in March 2013, and for them to come into force on 1<sup>st</sup> April 2013 for the 2013/14 financial year.

### **Review of 2013/14 School Funding Arrangements**

21. The Department also published the Review of 2013/14 School Funding Arrangements document on the 12<sup>th</sup> February 2013. The document gives a summary of how the 2013/14 reforms have been implemented and considers some specific issues; a briefing note is attached as Appendix A.

The Department are seeking views by the 26<sup>th</sup> March 2013.

Appendix A: Briefing Note – Review of 2013/14 School Funding Arrangements



## Briefing Note – Review of 2013-14 School Funding Arrangements

### Introduction

1. The Department published the *Review of 2013–14 School Funding Arrangements* document on the 12<sup>th</sup> February 2012. This is available at: <http://www.education.gov.uk/schools/adminandfinance/financialmanagement/schoolsrevenuefunding/a00221523/review-of-2013–14-school-funding-arrangements>
2. The document gives a summary of how the 2013-14 reforms have been implemented and considers some specific issues that have been raised. It seeks views from a range of interested parties including local authorities, head teachers, principals, governors and locally elected members.
3. The review also considers whether small changes are needed in 2014-15 in order to address some of the issues raised. The Department are seeking views by the 26<sup>th</sup> March 2013 (6 weeks).
4. The Department is clear that as we move towards a pupil-led system, there will be changes to schools budgets and some degree of re-allocation between schools. That is a necessary and not an unintended consequence of reform. The Minimum Funding Guarantee (MFG) ensures that, in most cases, schools will not lose more than 1.5% of their funding per pupil in both 2013-14 and 2014-15. It has also been confirmed that an MFG will continue to operate after 2014-15 although the exact level is not known.

### National Consistency

5. The review is based on the October LA submissions as not all January pro formas had been received at the time the document was written.
6. The majority of primary Age Weighted Pupil Units (AWPUs) are in the range of £2,250 to £3,250, although there are a few significant outliers of over £4,000. Central Bedfordshire's Primary rate as of October is £2,869 (£2,908 January 2013). The 15 local authorities with highest Primary AWPUs are all in London. The secondary AWPUs show a similar pattern and, again, the few outlier authorities with significantly higher secondary AWPUs are mostly in London.
7. Overall, the proportion of funding being spent on the AWPUs varies between 60% and 87%, with half of local authorities allocating between 75% and 80%. **CBC's proportion is 85%.**
8. Authorities are allocating at least 77% of funding through a combination of the pupil-led factors (these are the AWPU, deprivation, prior attainment, EAL, looked after children and pupil mobility) and around 49% of authorities are allocating between 90% and 95% of funding in this way. **CBC's proportion is 87%.**
9. The Department are inclined to set a minimum threshold for all the pupil-led factors. If set at 85%, seven LA's would need to move money away from the lump sum, post 16 and premises factors.

**Q1: Should the Department set a minimum threshold for the pupil-led factors and, if so, at what level?**

10. There is considerable variation in the proportion of funding allocated through the deprivation factors – ranging from 2% to 25% (with 83% of local authorities allocating between 2% and 12%). **CBC proportion is 2%**. There could be a number of explanations for this variation.

**Q2: On what basis did local authorities decide on the quantum or proportion of funding to target to deprived pupils?**

11. Another finding from the pro formas relates to the prior attainment indicators. Six local authorities chose not to use this formula factor at all and an additional four only used it for pupils in secondary schools. **CBC chose not to use this factor.**

12. There is also a significant degree of variation in the per-pupil which range from £125 to £8,300 for primary pupils and £158 to £10,688 for secondary pupils.

**Q3: On what basis did local authorities decide on the per-pupil amounts for the prior attainment factors?**

13. The lump sums chosen by local authorities varied significantly from £42,000 up to the maximum cap of £200,000. The most common choice was £150,000 (used by 26 authorities) but, overall, there is no consistency in the values set. **CBCs lump sum is £120,000.**

14. Fewer than half of local authorities used the mobility indicator.

## **Areas of concern and possible changes**

15. In light of feedback received to date, the Department are seeking views on whether changes are needed to three of the 12 current allowable factors. They are prior attainment, pupil mobility and lump sum. **It is only the latter factor in use for 13/14 for CBC.**

## **Prior Attainment**

**Q4: Do you agree that local authorities should continue to use EYFSP data as an attainment-related proxy or should the Department consider use of a different indicator to identify low cost SEN in primary schools? If so, what indicator?**

## **Pupil mobility**

**Q5: Would it help to allow an additional weighting to be given if a school experiences in-year changes to pupil numbers above a certain threshold? If so, where should this threshold be set?**

16. The single lump sum was introduced predominantly to provide sufficient funding for those necessary small schools, particularly in rural areas, that may not be able to operate on the basis of their per-pupil funding alone. Small schools benefit proportionately more from the lump sum and a single lump sum for all schools ensures that there can be no ambiguity over how much funding goes to one phase or type of school compared to another.

17. The current lump sum arrangements are causing concerns, particularly in relation to small schools in rural areas. It is not the Departments intention that any necessary small school should be forced to close as a result of reforms, and acknowledge the need to support schools in very

sparsely populated areas. The Department are considering the possibility of introducing an optional school-level sparsity factor for 2014-15.

18. The proposed sparsity factor could, for every school:

§ identify the pupils for whom it is their nearest school (this will not necessarily be the school the pupils actually attend); and

§ for those pupils only, measure the distance that they live from their *second nearest* suitable school. Where this distance is high, the Department assumes that it becomes difficult for the pupil to attend any school other than the nearest one, making the existence of that school necessary. Taking the average distance that relevant pupils live from their second nearest school would allow a sparsity factor to be applied based on set thresholds.

**Q6: In areas with large numbers of small schools, could the problem of having a fixed lump sum be overcome by reducing the relevant AWPU?**

**Q7: Would having the ability to apply a separate primary and secondary lump sum avoid necessary small schools becoming unviable? If so, how should we deal with middle and all-through schools?**

**Q8: The Department said in June that the level of the lump sum cap would be reviewed (currently £200,000) for 2014-15 in order to establish whether it is the minimum cap needed to ensure the sustainability of necessary small schools. If they continued with one lump sum for both primary and secondary, what would be the minimum level of cap needed to ensure the sustainability of necessary small schools? If a separate lump sums for primary and secondary, what would be the minimum cap needed for each in order to ensure the sustainability of necessary small schools?**

**Q9: Would using a school-level sparsity measure to target a single lump sum, based on distance between pupils and their second nearest school, avoid necessary small rural schools becoming unviable?**

**Q10: What average distance threshold would be appropriate?**

**Q11: If the Department had a sparsity measure, would it still be necessary to have a lump sum in order to ensure that necessary schools remain viable? Why? What is the interaction between the two?**

**Q12: What alternative sparsity measures could be used to identify necessary small schools in rural areas?**

19. As with all schools, small schools may have to make savings and efficiencies in order to live within their means. This may include merging formally with other small schools in the area to reduce fixed costs. However, it can be a disincentive to schools from merging where it is rational to do so, because it results in the loss of one of the lump sums.

**Q13: Would the ability for both schools to retain their lump sums for one or two years after amalgamation create a greater incentive to merge?**

## Targeting Funding to Deprived Pupils

***Q14: If you think local authorities will be unable to use the allowable deprivation indicators in order to prevent significant losses to schools with a high proportion of deprived pupils, why do you think that is the case?***

## Service Children

20. A number of schools with large numbers of service children have written to the Department to express concerns that they are set to lose funding as a result of the new arrangements. **This does not apply to CBC Schools.**

21. Service children sometimes require additional pastoral care because of their circumstances and this is reflected in the Service Premium (which currently allocates £250 to every service child and will rise to £300 in 2013-14).

***Q15: Do you have any evidence that service children (once we account for deprivation, mobility and pastoral care through the Pupil Premium) require additional funding in order to achieve as well as non-service.***

***Q16: Have the 2013-14 reforms prevented local authorities from targeting funding to groups of pupils that need additional support? If so, which?***

## Schools with falling Roles

22. If a school has falling rolls, it should consider its longer term viability. It may consider merging or federating with other schools in order to save money but also to improve its leadership capacity and quality. The Department are clear that, in times of economic austerity, money should be spent on pupils who are actually in schools and not spent on funding empty places.

23. In some areas, the demographic trend has meant that secondary school pupil numbers have reduced but a bulge is imminent as more primary pupils move up. In such cases, local authorities can retain a small fund for schools in financial difficulty (this would need to be delegated by maintained schools). This can be used to help bridge the gap between the falling rolls and the imminent bulge. Schools should also consider more innovative use of their facilities, such as hiring out school halls or swimming pools.

***Q17: In cases where a population bulge is imminent, what is preventing good and necessary schools from staying open?***

***Q18: Are there any other circumstances in which falling rolls are unavoidable in the short term?***

## Option for adjusting high needs funding in 2014-15 and beyond

24. As part of the 2013-14 reforms, a new framework was introduced for funding provision for children and young people with high level needs. Schools, colleges and other providers will be given funding within their formula sufficient to fund costs up to £10,000. The base funding is

calculated differently according to the type of provider and age of the pupil/student (Mainstream £6k, Special Schools £10k, AP £8k etc). Top up funding is for the commissioning authority to determine, by agreement with the providers.

25. Hospital education is being funded through transitional arrangements which essentially preserve the institution's funding in 2012-13. The Department are looking at options for a different funding approach in 2014-15.

## Issues for 2014-15 and beyond

### Base funding for specialist providers

26. Base funding for specialist providers is set, according to the number of planned places, at £10,000 per place for pre-16 SEN; a bit more, on average, for SEN and LDD in the 16-24 age group; and £8,000 for AP. The Department are not proposing to review at this stage whether these are broadly the right levels.

### Notional SEN budget for mainstream schools

27. Mainstream schools and academies receive a notional SEN budget, determined by the local authority using the permitted formula factors. Local authorities have flexibility to use their high needs block to make additional allocations outside the formula to schools that have a disproportionate population of pupils with high needs, after consulting the Schools Forum.

28. The Department are planning to introduce to the schools census, from 2014, a marker that will indicate those pupils who receive top-up funding. This high needs marker could be used to target extra funding to schools that have a disproportionate number of high needs pupils, but cannot be introduced before 2015-16 because the census data will not be available.

***Q19: Would a formula factor that indicates those pupils who receive top-up funding be a useful addition to help deal with the funding of high needs?***

29. Despite the strong recommendation that local authorities should construct their schools' notional SEN budgets so that schools are required to contribute up to £6,000 towards the additional support costs of their pupils with SEN, some have adopted a different threshold as a transitional arrangement (**CBC are in line with the Department's recommendation**). This creates differences in the base funding between neighbouring local authorities, and therefore in the top-up funding levels they are implementing. Commissioning authorities, however, are likely to be dealing with schools in more than one authority area.

***Q20: To address the variation in base funding between neighbouring local authorities, how fast should local authorities be required to move towards the £6,000 threshold? Should it be made a requirement from 2014-15?***

## Arrangements for Top Up Funding

30. The Department are allowing local authorities flexibility in the top-up funding arrangements. In many cases these arrangements for 2013-14 will not have been finalised, particularly for pupils and students starting at schools and colleges in September. It is therefore too early to consider changing the national requirements on top-up funding. The Department are interested in receiving feedback on the issues that have been raised so far, and whether any changes should be considered for 2014-15.

***Q21: Should the Department play an active role in spreading good practice and model contracts/service level agreements?***

## **Pre and Post 16 Arrangements**

31. It is acknowledged that the administrative process pre and post 16 have not been co-ordinated as helpful as they might have been.

***Q22: Do you have ideas about how the pre and post-16 high needs systems might be brought closer together?***

## **School Forums**

32. The Department are not inclined to make any further changes for 2014-15 as more time is required to assess how the new arrangements are embedded and whether they are improving the operation of Forums.

***Q23: Do you think that Schools Forums are operating more democratically and transparently? If not, what further measures could the Department take in order to improve this?***

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**Meeting:** Schools Forum  
**Date:** 4 March 2013  
**Subject:** Schools Specific Contingency Budget  
**Report of:** Deputy Chief Executive and Director of Children's Services  
**Summary:** To provide an update on the use of the School Contingency Budget for 12/13

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Contact Officer: Dawn Hill, Technology House, Bedford  
Public/Exempt: Public  
Wards Affected: All  
Function of: Council

**RECOMMENDATIONS:**

- 1. To note the School Contingency spend as at 31<sup>st</sup> January 2013.**

**Background**

1. The Schools Specific Contingency Budget falls under Schedule 2 of The School Finance Regulations 2008; '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 (ISB)' (top slice Direct Schools Grant – DSG).
2. At the Central Bedfordshire School Forum on 5<sup>th</sup> March 2012, the following budgets were agreed:
  - £500,000 General Contingency
  - £275,670 SEN Contingency.Total School Contingency Budget agreed for 2012/13 is £775,670.
3. The School Contingency carry forward from 2011/12, as at 31<sup>st</sup> March 2011 was £898,917 which is split into General (£818,999) and SEN Contingency (£79,918).
4. The General Contingency budget can be utilised to fund the following:
  - Rent and Joint Use equalisation charges;
  - Rates adjustments that have arisen from re-valuations or an adjustment to original formula;
  - Lease/planning permission associated with curriculum classes;

- Adjustment to Formula i.e. floor area, teacher threshold, NQT, additional pupil numbers;
- DSG shortfall;
- Closing Schools;
- Redundancy costs where applicable
- Funding of exceptional circumstances, the Director of Children’s Services can authorise sums up to £10,000 in respect of any one school in a financial year.

**General Contingency Expenditure 2012/13**

5. The following table sets out the expenditure for 2012/13 against the School General contingency budget.

	<b>BUDGET</b> £	<b>SPEND</b> £	<b>BALANCE</b> £
Carry Forward from 2011/12	818,999		
Budget Allocation 2012/13	500,000		
Floor Area Adjustments		(47,939)	
Rent Adjustments		(10,021)	
Rates Adjustments		(38,676)	
Rate Relief (Academy converters)		181,894	
Legal Fees		(410)	
Redundancy		(81,370)	
Unspent DSG supporting Central Services		1,426,380	
Final DSG Adjustment (DfE)		14,152	
EYSFF Adjustment		(4,161)	
Interest		1,533	
Exceptional Circumstances		(29,200)	
Pupil adjustment		(132,458)	
Allocation of unspent DSG		(1,779,125)	
Additional Pupil Funding (4%)		(433,984)	
<b>Total General Contingency</b>	<b>1,318,999</b>	<b>(933,385)</b>	<b>385,614</b>

6. The detail on the spend is as follows -

- Floor Area adjustments to the initial allocation of SBS.
- Equalisation of Rental costs
- Rates adjustments that have arisen from revaluations
- Rate Relief as a result of conversion to Academy status and attracting 80% rate relief
- Legal Fees – School in Financial difficulty
- Redundancy payments
- Unspent central DSG returned to contingencies
- Final DSG settlement, 4 additional pupils above estimation
- EYSFF adjustment to base data
- Interest from closing bank accounts
- Payments to three schools with Exceptional circumstances (increased responsibilities with new/extending schools)
- Payment to schools for place led funding for new / reorganising schools
- Allocation of unspent DSG per statutory pupil
- Greater than 4% rise in pupil numbers based on October census



### SEN Contingency Expenditure 2012/13

7. The SEN Contingency had been agreed to fund :
- A growth in Behavioural Emotional and Social Difficulties (BESD) provision
  - Revised formula for Special Schools
  - Additional and alternative models of specialist provision within mainstream schools
  - Additional support to mainstream schools:-
    - i. Specialist support services and BESD services
    - ii. Special Schools Outreach
    - iii. Commissioned support
8. The following table sets out the expenditure for 2012/13.

	<b>BUDGET</b> £	<b>SPEND</b> £	<b>BALANCE</b> £
Carry Forward from 2011/12	79,918		
Budget Allocation 2012/13	275,670		
Outreach		(195,216)	
Redundancy		(85,538)	
Closing School		(368)	
<b>Total SEN Contingency</b>	<b>355,588</b>	<b>(281,122)</b>	<b>74,466</b>

### Recommendations

1. To note the School Contingency spend to date

### Appendices:

None

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**Meeting:** Schools Forum

**Date:** 4 March 2013

**Subject:** School Forum Budget

**Report of:** Deputy Chief Executive and Director of Children's Services

**Summary:** To provide an update on the use of the School Forum Budget for 12/13.

Contact Officer: Dawn Hill, Technology House, Bedford

Public/Exempt: Public

Wards Affected: All

Function of: Council

**RECOMMENDATIONS:**

1. To note the School Forum spend as at 31<sup>st</sup> January 2013

**Background**

1. The School Forum Budget falls under Section 2 of The School Finance Regulations 2008. 'Classes or descriptions of planned expenditure prescribed for the purposes of the Schools budget of a Local Education Authority which may be deducted from it to determine the Individual Schools Budget' (top slice Direct Schools Grant - DSG) – 'establishment and maintenance, of and consultation with, schools forums'.
2. It was agreed at the School Forum meeting of the 5<sup>th</sup> March 2012 that a budget of £3,000 will be available for costs associated with the operation of the Forum, with the continued membership of the F40 group and £2,000 delegated to the Chairman of the Schools Forum to fund the commissioning of consultancy and administration support. The level of the budget will be reviewed annually.
3. The School Forum budget was fully spent in 2011/12.

**Expenditure 2012/13**

4. It was resolved at the School Forum meeting of the 5<sup>th</sup> March 2012 that Central Bedfordshire would remain a member of the F40 Group, representing the lowest funded Local Authorities.
5. The following table sets out the expenditure for 2012/13 against the School Forum Budget.

	BUDGET £	SPEND £	BALANCE £
Budget Allocation 2012/13	3,000		
F40 Subscription		(1,000)	
Room Hire / Hospitality		(346)	
Travel Expenses		(172)	
Westminster Education Forum		(380)	
<b>Total</b>	<b>3,000</b>	<b>(1,898)</b>	<b>1,102</b>

**Appendices:** None

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**Meeting:** Central Bedfordshire Schools Forum  
**Date:** 4 March 2013  
**Subject:** Review of the Forum's Constitution and Terms of Reference  
**Report of:** Mel Peaston, Committee Services Manager  
**Summary:** This report enables the first stage of a review of the Constitution and Terms of Reference as previously requested by the Central Bedfordshire Schools Forum.

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**Advising Officer:** Mel Peaston, Committee Services Manager  
**Contact Officer:** Martha Clampitt, Committee Services Officer  
**Public/Exempt:** Public  
**Wards Affected:** None  
**Function of:** Council

#### **CORPORATE IMPLICATIONS**

##### **Council Priorities:**

- Improved educational attainment.

##### **Financial:**

1. N/A

##### **Legal:**

2. The Constitution and Terms of Reference of the Schools Forum were previously drawn up to comply with Regulations issued in 2010. New Regulations were issued in 2012.

##### **Risk Management:**

3. N/A

##### **Staffing (including Trades Unions):**

4. N/A

##### **Equalities/Human Rights:**

5. To ensure that any decision does not unfairly discriminate, public authorities must be rigorous in reporting to Members the outcome of an equality impact assessment and the legal duties.

6. Public Authorities must ensure that decisions are made in a way which minimises unfairness, and without a disproportionately negative effect on people from different ethnic groups, disabled people, women and men. It is important that Councillors are aware of this duty before they take a decision.

**Public Health**

7. N/A

**Community Safety:**

8. N/A

**Sustainability:**

9. N/A

**Procurement:**

10. N/A

**RECOMMENDATION(S):**

**The Forum is asked to:**

**consider the revised draft Central Bedfordshire Schools Forum Constitution and Terms of Reference, compliant with the Regulations issued in 2012.**

**Information**

11. The Central Bedfordshire Schools Forum Constitution and Terms of Reference has previously been amended to comply with the provisions of The Schools Forum (England) Regulations 2010. New Regulations were issued in 2012, which include a requirement to comply with the membership provisions by 1 October 2012.
12. The Forum has accordingly updated its membership provisions, but requested at its last meeting (minute CBSF/12/63 refers) that the Constitution and Terms of Reference be brought back for further consideration. The 2012 Regulations, with which the document must comply, are attached at Appendix A.
13. The Forum agreed at their meeting on 24 January 2013 (minute CBSF/12/85 refers) to send any suggested changes to the Committee Services Officer, who would provide a track changed version of the Constitution and Terms of Reference for consideration. A copy of the track changed document is attached at Appendix B.

**Amendments**

14. Quorum

The Regulations require 40% of the membership to be present. The provision in the Terms of Reference for quorum has therefore been updated to 9 (Total membership = 21).

15. Working Groups

Currently the Terms of Reference are silent on the subject of Working Groups, which are permitted under 1.44 of the Guidance. The Forum is asked to consider whether to add the proposed paragraph.

16. Consultation on Contracts

A revised paragraph is proposed to reflect the current regulations.

17. Voting

The proposed additional paragraph reflects changes in the Regulations.

**Appendices:** Appendix A – The Schools Forums (England) Regulations 2012  
Appendix B – Constitution and Terms of Reference

**Background Papers:** (open to public inspection) None

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## Central Bedfordshire Schools Forum

### CONSTITUTION and TERMS OF REFERENCE

#### Definitions

The Forum = the Schools Forum for the area covered by Central Bedfordshire Council

The Council = Central Bedfordshire Council in its role as Local Education Authority

1. The Central Bedfordshire Schools Forum (the Forum) will consist of 21 Members made up of 12 school members and 5 non school members and 4 Academy representatives made up as follows:-

#### **School Members (12)**

2 Lower School Headteachers  
2 Lower School Governors  
1 Nursery School Headteacher  
2 Middle School Headteachers  
1 Middle School Governors  
1 Upper School Headteachers  
1 Upper School Governors  
1 Special School Headteacher  
1 Academy Lower School Representative  
1 Academy Middle School Representative  
2 Academy Upper School Representatives  
1 PRU representative

#### **Non School Members (5)**

1 Roman Catholic Diocese Representative  
1 Church of England Diocese Representative  
1 Private, Voluntary or Independent sector Provider Representative  
1 Local Authority 14-19 Partnership Representative  
1 Trades Union Representative

#### **Observer (non-voting)**

- the Council's Executive Member for Children's Services

2. Forum Members will stand for three years at which time elections will take place for school Members and nominations will be sought for the non-school Members. Should a resignation be tendered from the Forum, an election will be held for the vacancy which will ensure that the representational balance is maintained. Each representative group (Headteachers and Governors by phase) will be responsible for the method by which they elect and nominate school Member representatives.
3. The Council will maintain a written record of the composition of the Schools Forum including the method by which representatives are elected or nominated. The Council will inform all schools of the membership of the Forum and will provide details of any non-school Member appointed to the Forum within one month of appointment. This will be carried out when constituting the Forum and after the appointment of any new or replacement Member.
4. Elected Members who hold an executive role within the Council and officers who have a role in strategic resource management of the authority are unable to be Members of the Forum (these restrictions do not apply to officers employed as teachers or who work for, and those who directly manage, a service which provides education to individual children and/or advice to schools on learning and behavioural matters). Despite these restrictions, officers and Members may attend and speak at Forum meetings.
  - The Executive Member for Children's Services will be invited to attend meetings of the Forum as an observer.
  - The following Officers are eligible to attend and speak at Forum meetings:-
    - Director of Children's Services or their representative
    - Chief Finance Officer or their representative
    - Persons invited by the Forum to present financial or technical advice
    - A presenter of a report.
  - Council officers will support meetings of the Forum.
5. The quorum for the Forum is 9 Members.
6. Substitute Members will be allowed only after approval by the Forum.
7. The meetings of the Forum will be open to the public.
8. Members of the Forum are required to make declarations of interest on appointment and when, for example, the Forum is considering matters relating to contracts.
9. Meetings of the Forum will be called allowing at least two weeks notice. Supporting papers will be sent out at least five days before the meeting.

10. The Council shall appoint a Clerk for the Schools' Forum who shall be in attendance at each meeting of the Forum and will take minutes. Meetings will be recorded for the purposes of the accuracy of the minutes only.
11. All schools and associated groups will be provided with the minutes of all meetings of the Forum and of action taken by the Council on Forum advice.
12. Claiming of expenses for Forum Members will be in accordance with the Forum expenses policy document and claims will be made on the specific claim forms and duly authorised.
13. A budget of £3,000 will be available for each financial year for costs associated with the operation of the Forum e.g. hiring a venue, expenses and clerking costs. This will be a charge against the Council's Local Schools Budget and retained centrally. The level of the budget will be reviewed annually.

#### **Items for Forum Discussion**

14. The Forum will discuss and be consulted upon the following matters:

##### Consultation on School funding formula

The Council shall consult the Forum on any proposed changes in relation to the factors and criteria that were taken into account, or the methods, principles and rules that have been adopted, in their formula made in accordance with regulations made under section 47 of the School Standards and Framework Act 1998, and the financial effect of any such change.

Consultation shall take place in sufficient time to allow the views expressed to be taken into account in the determination of the Council's formula and in the initial determination of schools' budget shares before the beginning of the financial year.

##### Consultation on Contracts

The authority must consult the Schools Forum on the Terms of any proposed contracts for supplies and services (being a contract paid or to be paid out of the Authority's Schools Budget) where the estimated value of the proposed contract is not less than the threshold which applies to the Authority for that proposed contract pursuant to Regulation 8 of the Public Contracts Regulations 2006 at least one month prior to the issue of Invitation to Tender.

##### Consultation on financial issues

The Council shall consult the Forum annually in respect of its functions relating to the schools budget, in connection with the following:

- a) the arrangements to be made for the education of pupils with special educational needs;
- b) arrangements for the use of pupil referral units and the education of children otherwise than at school;
- c) arrangements for early years education;
- d) arrangements for insurance
- e) prospective revisions to the authority's scheme for the financing of schools;
- f) administrative arrangements for the allocation of central government grants paid to schools via the authority; and
- g) arrangements for free school meals

Consultation on other matters

The Council shall consult the Forum on arrangements for

- a) the mainstreaming of Teachers' pay grants into the Council's school funding formula; and
- b) updating non-AWPU data within the multi-year budget cycle.

The Council may consult the Forum on such other matters concerning the funding of schools as they see fit.

15. The Forum shall also have the following powers:

- a) to agree minor changes to the operation of the minimum funding guarantee, where the outcome would otherwise be anomalous, and where not more than 20% of the Authority's schools are affected. Changes affecting more than 20% of schools will have to be approved by the Secretary of State;
- b) to agree to the level of school specific contingency at the beginning of each year;
- c) to agree arrangements for combining elements of the centrally retained Schools Budget with elements of other Council and other agencies' budgets to create a combined children's services budget in circumstances where there is a clear benefit for schools and pupils in doing so;

- d) in exceptional circumstances only:
- i. to agree an increase in the amount of expenditure the Council can retain from its Schools Budget above that allowed for in the regulations;
  - ii. to agree an increase in centrally retained expenditure within the Schools Budget once a multi-year funding period has begun; and
  - iii. to agree changes to the Council's funding formula once it has been announced prior to the start of a multi-year funding period.
16. Should a judgment be necessary on whether a matter falls within the remit of the Forum, for example whether an item has financial implications, the Council's Head of Service for Finance and Head of Service for Learning and Schools and the Chair of the Forum shall jointly make the necessary determination.
17. There will be a minimum of 4 meetings per year in accordance with the Schools Forum (England) Regulations 2012, however there will usually be 5 meetings per year.
18. Working groups to discuss specific issues and to produce draft advice and decisions for the Forum to consider, may be set up with the Forum's agreement.
19. The Regulations provide that a Schools Forum may determine its own voting procedures, as detailed in 20 below, save that:-
- voting on the funding formula is limited to the specific members and PVI representatives
  - voting on de-delegation will be limited to the specific primary and secondary (middle and upper) phase of school members.
20. For decision-making purposes each Forum member will be entitled to 1 vote. In the case of an equal number of votes for and against a proposal, the Chair shall have a second or casting vote.
21. Where an urgent proposal needs to be considered in advance of a meeting, the Forum may be consulted via post or e-mail.
22. The Constitution and Terms of Reference of the Forum will be reviewed annually.
23. A Chair and Vice-Chair will be elected by the Forum from its voting membership annually or at the first meeting following any resignation. A voting Member who is also an elected Member or officer of the Council may not be elected Chair or Vice-Chair. At any meeting where

both the Chair and Vice-Chair are absent, the Forum shall elect, from those voting Members present, a person to take the Chair for that meeting only.

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**Meeting:** Schools Forum  
**Date:** 4 March 2013  
**Subject:** Briefing Note from Schools Asset Management Planning sub group  
**Report of:** Deputy Chief Executive and Director of Children's Services  
**Summary:** This Briefing Note provides an update, from the School Asset Management Planning sub group, regarding Schools Capital, School Premises Regulations and Carbon Reduction Commitment Energy Efficiency Scheme.

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**Contact Officer:** Keith Armstead, Senior Education Officer (Planning)  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

**RECOMMENDATION(S):**

**The Committee is asked to:**

- 1. Note the contents of the Briefing Note and**
- 2. approve the circulation of the Briefing Note via the Council's publication 'Central Essentials'**

**Schools Capital**

**1 Conditions Survey update**

As previously advised, the Education Funding Agency (EFA) has commissioned condition surveys of the schools estate (for Central Bedfordshire Council this is being undertaken by EC Harris) and many schools will have already had visits for this purpose. The EFA have advised that this will now be completed and validated by Oct 2013, so the data will be able to be used to influence the funding bid to treasury ready for the next comprehensive review period/parliament. In the meantime, existing data/methodologies will be used to allocate Strategic Capital Maintenance (SCM) funding to Local Authorities (reduced proportionately according to numbers of pupils in Academies), with a separate SCM funding process (via bids) to the EFA for all Academies.

- 2 It is also intended that the condition data sets will, once completed, be available to individual schools and Responsible Bodies for their information and use.**

3 James Review recommendation on single funding pot

Nothing further to report on this. No further consultation has/is being undertaken at present and there is no time-table for any potential changes. It is therefore unlikely that any changes would be brought about ahead of the next comprehensive spending review period.

4 Department for Education Capital Allocation

- a) Basic Need – The Schools Capacity data return (SCAP) for 2012 was amended to enable Local Authorities to break down their capacity data and forecasts into smaller planning areas which has been welcomed. For CBC, this has been broken down into the same 8 planning areas as used in the School Organisation Plan. EFA have held a number of consultation meetings with representative bodies to consider options for the allocations methodology for the future. Allocations for 2013/14 (and hopefully 2014/15) are set to be announced in early February and DfE/EFA have agreed to publish more detailed information for Authorities so that they can see more clearly how their individual allocation has been calculated.
- b) Strategic Maintenance – As set out above, allocations for the next 2 years will be expected to be based on a similar methodology as for 2012/13. Again, as for Basic Need, an announcement is expected in early February.
- c) LC VAP – To date, there is no indication of any proposed changes to LCVAP, other than the likely proportionate reduction in funding according to numbers of pupils in Academies. As with Basic Need, we are hopeful that the new allocations will be for more than 1 year, although the funding for the second year would have to be provisional.

### **School Premises Regulations**

- 5 As previously indicated the new School Premises Regulations (SPRs) are in force for maintained schools (as of 31/10/12) and for Independent schools and Academies from 1 January 2013. These do not apply to Alternative Provision free schools/academies.
- 6 Whilst there are some changes resulting from the removal of duplication, for example with matters covered elsewhere in Building Regulations and Health & Safety, the most significant changes relate to the removal of the Statutory Minimum requirements for numbers of WCs and playing pitches according to the numbers of pupils on roll. Instead all schools will now have to provide suitable toilet and washing facilities and suitable outdoor space.
- 7 Whilst there are guidelines in terms of WC provision, there are none for playing pitches. However, in conjunction with the new SPRs there is revised advice on the protection of playing fields which contains a new formula to calculate the level of protection that will be expected to be afforded to schools below which an application to dispose of playing field land is less likely to be approved. Similarly, the new advice provides clarity that such protection also extends to Academy land for a period of 10 years from the date of conversion.



- 8 The guidance regarding changes to the standards for school premises can be found via this [Link](#) and on the DfE website at <http://www.education.gov.uk/schools/adminandfinance/schoolscapital/a00212403/changing-standards-school-premises>  
The advice on the protection of school playing fields can be found via this [Link](#) and on the DfE website at <http://www.education.gov.uk/aboutdfe/advice/f00216527/advice-school-playing-field-protection>

9 Area Guidelines

Currently there is no indication as to when or whether a new set of area guidelines will be produced to replace the current Building Bulletins, in particular BB99 for Primary and BB98 for secondary schools. However, many schools will have seen the DfE's Standardised designs for Primary and Secondary schools in the Priority Schools Building Programme which effectively provide a 13% reduction in overall area for Secondary schools and a 6.5% reduction in primary schools. Currently, CBC is working to the existing BB99 and 98 but will consider whether any changes should be made to this when and if a new overall set of area guidelines is produced.

**Carbon Reduction Commitment Energy Efficiency Scheme**

- 10 It had been expected that the Council would have to participate in Carbon Reduction Commitment (CRC) when the second phase starts this year.
- 11 One of the main issues that had significant implications for the Council related to the treatment of schools and academies in CRC and who would be responsible for the carbon allowances to cover their emissions.
- 12 In December 2012 the Department for Energy & Climate Change (DECC) finally published their response to the consultation on simplifying the CRC Energy Efficiency Scheme and one of the main points, that we now have clarification on, is that -
- All schools are out of CRC, although they will be required to report annually on energy use and DECC/DfE will be putting in place "alternative robust measures that will incentivise and support schools to obtain both energy cost and emission saving". This will take away a combined potential financial burden of £216K per year from schools in Central Bedfordshire.

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